RADIO SCREEN STAGE

# VARIETY

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# 456 PICTURES FOR 1938-9

## Hollywood Stars Willing to Slum, But Pay Ideas in War Debt Class

With the production slack, Hollywood names are ogling the nation's rostrums for personals of from four weeks up to what have you? Paradoxically, considering the enforced idleness, the players' reps are asking and some of have gotten the following pretty fancy salaries:

**Bob Hope**, $5,000.
**Milton Berle**, $6,500.
**Constance Bennett**, $6,500.
**Ben Blue**, $2,000 (getting).
**Bert Wheeler**, $2,250 (getting)
**Martha Raye**, $5,000 (got).
**Franciska Gaal**, $1,750.
**Boris Karloff**, $2,500.
**Tommy Riggs**, $2,200.
**Andy, Judy and Zeke**, $2,500.
**Jackie Cooper**, $2,500 and %age.
**Laurel and Hardy**, $6,300.
**Sterling Holloway**, $1,000.
**Joan Davis**, $4,000.
**Gene Raymond**, $3,500.
**Edmund Lowe**, $4,000.
**Mae West**, 50% from first dollar.
**Nat Pendleton**, $2,500.
**Richard Arlen**, $5,000.
**Edgar Kennedy**, $5,000.
**Leo Carrillo**, $3,500.
**Frances Langford**, $5,000.
**Three Stooges**, $2,500.
**Bobby Breen**, $5,000.
**Charles Butterworth**, $5,000.

Some of the above salary demands are deemed so ridiculous by bookers that they've been summarily stricken out, even as potentialities, being in no mood to dicker when the inflated salary ideas may be 100% above estimated actual worth.

## Negro Preacher Sues Theatre; Says Banko KO'd His Collections

Tulsa, Okla., April 5.

A Negro minister who claims that bank nights at the Rex, Negro house operated by white man, V. L. Chandler, have diminished collections in his church, has instituted suit against Chandler in district court.

Specific charges are that the program is a public nuisance and that it is 'resulting in pecuniary loss to the plaintiff in that his congregation has diminished' since the disturbance began. Other complaints are that the program attracts hundreds

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## Dualing Screeno

And now they're dualing screeno. Loew's 175th St. theatre, N. Y., has, in addition to regular cash screeno, extra measure called 'surprise screeno' on Wednesday nights. Plays pair of films to boot.

'Surprise screeno' is played separately from the regular giveaway game, and is dressed up with comedy angles, such as paying prize money to the woman in the audience who wins a 'husband calling' contest, the child who can munch the most marshmallows in 30 seconds, etc.

### Recession Theme Song

First lyrical reaction to the current recession has bobbed up in Tin Pan Alley. It's titled 'The Waiter's Lament.' Ben Gordon and Frank Hughes, ex-vaudevillians, who have been doing a stein-juggling and singing turn around neighborhood stubes, wrote the ballad and placed it with Mills Music, Inc.

Song bemoans the downbeat of business around these spots and the slimness of the tips, if any.

## CIO PICKETS FORD CO.'S AL PEARCE ACT

St. Louis, April 5.

The presence of Al Pearce and his radio unit on the stage at Fanchon & Marco's 5,000-seater Fox resulted in members of Local 325, United Automobile Workers of America, a CIO affiliate, picketing the theatre for a short time Friday (1), opening day of Pearce's one-week engagement, and resuming the following day after a short truce with the gendarmes.

Handbills reading, 'While listening to Al Pearce and Gang, please remember that the Ford Motor Co., one of his sponsors on the air, is the only unfair car manufacturer. Local 325, U.A.W.A.' were distributed to theatre patrons and passersby. After the picketing was in progress a short time the cops were called and persuaded the CIO's to withdraw until a conference could be held Saturday (2).

While the confab at a local district station lasted several hours the union refused to abandon the picketing during Pearce's run here. Norman Smith, union representative, asserted that the U. S. supreme court had upheld such procedure last week and the local union would use that ruling as protection from cops.

## 'Defense of Capitalism' Film by Jimmy Cromwell

Spartanburg, S. C., April 5.

Fanning Hearon, former local newspaperman and son of Charles O. Hearon, ex-Spartanburg Herald-Journal publisher, will direct filming of 'In Defense of Capitalism,' written by James Cromwell, husband of Doris Duke, tobacco heiress.

Hearon for two years has been head of the Department of the Interior's motion picture division.

## NOT COUNTING 74 WESTERNS

### Compares to 504 Features and 111 Westerns Scheduled This Year by 12 Companies—GN Schedule Still Uncertain—Shorts Program About the Same

### 20 IN COLOR

Early indications point to a decrease in the number of pictures to be promised for the coming (1938-39) season, with advance figures of 11 producer-distributors, not including Grand National whose future is very indefinite, adding to a total of 456 features, in addition to 74 westerns. This compares with 504 features and 111 westerns scheduled this year by these same companies and G. N.

For the current year (1937-38), Grand National offered a program of 43 features and 22 westerns. It will not come close to completing delivery on this program but starting this month (April), it will release three pictures a month through July. To date it has delivered 16 features, including two outside pictures, and four westerns. Because of conditions generally and in GN, it is likely a program half the size of this year's will be scheduled ultimately for '38-'39.

Deficit in the westerns is more marked than in the regular feature division. Twentieth-Fox, which sold six horse operas this season, is drop-

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### MODERN TOUCH

**Autograph - Hunters Have Union, Public Relations Counsel**

Autograph Guild of America defended its collection proclivities on station WHN, N. Y., yesterday (Tuesday) when Milton Rosenberg, its 'public relations counsel,' aired a rebuttal against a recent attack by Danton Walker, New York Daily News columnist.

Signaturers organized into a body about a year ago. Officers, dues and other organizational trimmings were added to legitimatize frequently maligned practitioners. Girls were recently expelled when they rebelled against paying 25c weekly dues. Majority are kids and do not recognize what they term 'amateurs.'

### A PROF. ON JAM

St. Louis, April 5.

No danger will be done the younger generation in their ability to appreciate good music if they can take swing music in the same semi-serious mood they take comic strips, said Dr. Joseph E. Maddy, professor of music at the University of Michigan, at the annual Music Educators' National Conference.

Some 10,000 dele[illegible] attended.

## Sponsor, Partner Carry On Six Months While Fibber McGee's Molly Recupes

### The Only Way

Sam Lyons, the talent agent, was pressuring an advertising agency which was talking about 'static sales graphs.'

'If business is bad you need a show,' cracked Lyons. 'Even churches gotta put in bingo nowadays to do any business.'

Chicago, April 5.

Next week sees the end of the third year of Fibber McGee and Molly on the air for Johnson's Floor Wax, and the end of six months during which time the show has continued without the actual presence of one of its two principal characters. Yet during these six months the show has not once let the public forget about Molly, and from all surveys and sales records, the public hasn't lost its continued liking for the program. And Molly, though off the show for a full half-year, is still vivid in the program with every possible device used to keep the character close to the public consciousness.

Molly (Mrs. James Jordan) has been ill with a nervous breakdown since November, 1937. And each week since that time she has been expected back on the show, and each week her return has been postponed. Now they are hoping to see her on the air by Easter.

Marian and Jim Jordan have background in show biz that reaches

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## H'WOOD'S LIFE LINE; INS. CO. STATISTICS

Insurance companies are mulling the need of revising figures on talent end of pictures. Mortality among writers, directors and troupers in Hollywood is making a ghastly laugh out of that Life-Begins-at-40 line of Prof. Pitkin's.

Writers topple over at an alarming rate and any of them reaching 50 before grabbing at their hearts for a final blackout is news. Few get a warning. Most of them just go.

General belief is that these boys lead the life of Reilly and couldn't have an easier time if they were laying off 12 months of the year, but insurance statistics show that their life-span is at least seven years below average of even the hardest working peasants.

Belief too is that the President of the United States takes a beating, but statistics show these average more than five years higher in their life-span than the rest of the populace. But writers in Hollywood are down among the aviators.

## Corral Crooners And Yippee Swingsters All Set for Dude Biz

Salt Lake City, April 5.

In the remote regions of the high pole corrals—western America's cow country—more than 90 operators of dude ranches are refurbishing their outfits in preparation for the greatest trek to God's country by 'dudes' since 1933, when frontier hospitality and diversions nearly entered the $1,000,000 industry category.

According to a survey compiled by intermountain chambers of commerce, dude ranchery this year will

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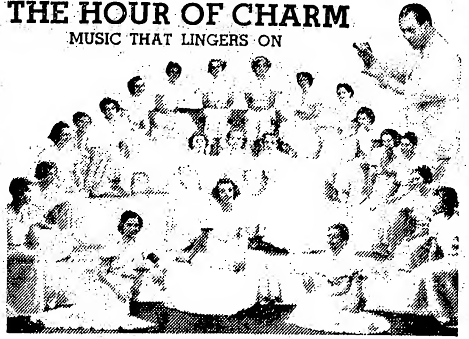
THE HOUR OF CHARM
MUSIC THAT LINGERS ON



PHIL SPITALNY
PERMANENT ADDRESS
PARK CENTRAL HOTEL, NEW YORK

# Odlum Taking Charge of Atlas' Negotiations with RKO Creditors To Speed Reorg; Court Impatient

Floyd Odlum, head of Atlas Corp., has returned from the Coast, and taken personal charge of his company's negotiations with creditors of RKO on a plan of reorganization for that film company. In the past few days, whatever modifications in the reorganization plan had been previously proposed under the direction of Peter Rathvon, chief aide to Odlum, all but stopped ticking. Creditors wouldn't go for the modifications as proposed, and a new approach to the situation is now being sought.

The parties in interest asked Federal Judge William O. Bondy, in hearing on Monday (4), for another delay, and the court granted an adjournment, reluctantly, until August 25, next.

Attorney Hamilton C. Rickaby, of the downtown law firm of Simpson, Thacher and Bartlett, counsel for proponents the reorganization proceedings, was urged by the court to do his best to have a definite plan ready by the new date, or to find out whether 'liquidation is staring us in the face.' Creditors must be paid, the court stated, and the proceedings, now going on for more than five years, were becoming burdensome. Rickaby promised to do his best to meet the court's request. Counsel for the proponents revealed that modifications to the existing plan which were proposed and which it was believe might meet with approval of creditors were found not to satisfy a substantial number of creditors.

### Unusual Acquiescence

Presumably these are general creditors, as Attorney Carlos Israels, of White & Case, who represents the biggest unified group of general creditors (possibly amounting to around $8,000,000), concurred with Attorney Rickaby in requesting an adjournment. Attorney Israels informed the court that additional accounting information and statistics were required in order that a proper analysis might be made for a 'new approach to the situation.'

Both Rickaby's statement and that made by Attorney Israels, therefore, are significant, possibly relating exactly where further negotiations are necessary and on which end.

Attorney Hunt, of Chadbourne, Hunt & Levy, counsel for the indie bondholders' group, also concurred in requesting a delay. There was no comment from the Rockefeller end. It seemed unnecessary. But, aside from what was indicated in court, observers feel that modifications on a wider scale than hitherto proposed may be required, because of general business conditions, trade conditions and the status of security markets.

Any changes which might be impelled by the recession angle, according to informed sources, would have an effect on the feasibility of the underwriting end of the plan, as well as the contemplated purchase of the M. J. Meehan interest in Keith-Albee-Orpheum.

# KENT AND HUTCHINSON SAILING ON APRIL 16

Sidney R. Kent, president, and Walter J. Hutchinson, foreign sales chief for 20th-Fox, sail for Europe April 16 to attend two overseas sales confabs. They will attend three-day sessions in Paris starting May 5 and then go to London for another three-day meeting that opens May 12.

They will be in London for formal opening of new quarters of 20th-Fox in England in Soho Square.

## Pierce, U Exec, Sells Fourth Yarn to Studio

Hollywood, April 5.

William A. Pierce, executive assistant to Charles R. Rogers, has sold his fourth story, 'No One Man,' to Universal. It will be used as a picture for Nan Grey. Tale built around the more serious side of college life, sans the rah-rah of athletics.

Pierce's other writing efforts are 'Night Key' and 'Armored Car,' both of which have been filmed, and 'Skip Tracer,' now slated for production.

## INTERVIEWED AT 6:45 A. M.

### Rochelle Hudson Touring in East for Sunkist Oranges

Rochelle Hudson, film actress, got up at 6 a. m. Wed. (30) to be quizzed 45 minutes later on WOR, N. Y., by Joe Bier. Appearance was the program which station carries for Sunkist oranges.

Miss Hudson is currently in the east on a salaried goodwill tour for the citrus product. Lord & Thomas' Los Angeles office, which handles Sunkist, sent actress out.

# NIX BALLY TOO FAR ADVANCED

On the ground that if pictures are previewed too far ahead of release notices or comment on them, in print as well as on the air, is cold by the time they reach theatres, Paramount is adopting policy of holding all film from view until within two weeks of release date. Under no circumstances can critics, air commentators or others see any of the Par product either east or west sooner than 14 days ahead of dating.

Instructions on the policy, emanating at New York, have been sent to the Coast, where frequently Par and other companies have been previewing certain pictures more than a month in advance of release date.

# MALCOLM BROWNE NEW PRODUCTION OUTFIT

Organization of Malcolm Browne Pictures Corp., a new producing and distributing company, was announced yesterday (Tues.) by John E. Browne, president, and Joe Rice Malcolm, secretary-treasurer. Malcolm has been in the film laboratory business for 15 years. Browne represents the money group.

Malcolm Browne will produce on the Coast, having planned a group of 20 features for the initial season. This includes two groups of musical westerns, eight action-adventure features and four straight features that will be made as high-budget productions.

Al Selig is publicity-advertising director but board of directors will not be announced for about 10 days. Home office will be headquartered probably in Radio City.

Distribution will be via independent exchanges. No franchise-holders are included in contemplated setup.

## Al Shean Tests For Par's 'If I Were King'

Hollywood, April 5.

Al Shean has arrived to undergo tests for the principal role in support of Ronald Colman in Paramount's 'If I Were King.'

Shean was last in the Broadway legit, 'Father Malachy's Miracle.'

## Autografs 'n' Stuff

By JACK OSTERMAN.

Recently Mayor LaGuardia made a statement to the police to arrest all autograph hunters that molest opening night audiences, broadcasts, and all celebrities. The other day, when we had to appear in court to answer a subpoena, of which we knew nothing about (why should we, our secretary tears up all our mail) when we left City Court of the City of New York, Special Term, Part Two, which was the first time in years we went on No. 2, we had the pleasure of bumping into His Honor, who repeated to us what he said at the Baseball Writers' Dinner, that between him and Di Maggio it was a great year for the spaghetti-benders. Hizzoner has a good sense of humor, for, as we had the honor of talking to him for a few minutes, he had all he could do to have time to answer—he was signing many autographs.

What we started out to say is, just because George S. Kaufman's wife had her coat stolen on the opening night of 'I'd Rather Be Right' they blamed it on autograph-hunter. If the show wasn't a hit they would have blamed it on Kaufman, Hart and Cohan, with Rodgers and Hart for a chaser. These kids who get a kickout of getting signatures of well-known people are more healthy than many kids who get kick out of other things, and finish up in the reformatory. It's all according to where they want to sit. As for the stars who rush by them, when asked to sign their little books, while they're top, would be broken-hearted at tomorrow's opening if the 'hunters' ignored her or him, because they have lost their importance.

### Thoughts While Thinking

We wonder why Ed Sullivan (who has printed it twice) is so worried over the fact that Sid Grauman placed his 'Hollywood Chinese theatre' box office over Marie Dressler's footprints. Ed, if you know Sid we do he is great showman you might get the significance . . . Dressler was always box office! . . . At the last moment Joe Cook replaced Gregory Ratoff on the Vallee program last Thursday, Ratoff being warned by Zanuck that he was sent east not to broadcast but to direct 'Ellis Island,' which ought to be a cinch for Ratoff if the folks on Ellis Isle can understand him...It used to be a safety razor, now it's been changed to Safety Caesar...At a certain preview the other night a certain critic remarked, "The music was written by Sigmund Romberg, and the audience whistled it as they walked IN"...We saw a play the other night that lasted from dusk to yawn, and Jed Harris, one of the few right guys left in 'Our Town,' observed: 'An author is a guy with script under his arm who doesn't know what he's got, trying to sell it to a manager who doesn't know what he wants.'

## Dwan Directs 'Suez'

Hollywood, April 5.

Darryl Zanuck has picked Allan Dwan to direct the 20th-Fox production of 'Suez,' which will be filmed on scale comparable to 'In Old Chicago.' He will leave next week for Arizona to hunt background locations.

Company plans to expend $500,000 on the canal sequence alone. Picture will have Tyrone Power, Loretta Young and Annabella the featured roles.

## Gensler's Vacash

Hollywood, April 5.

Lew Gensler, Paramount producer, hauls east April 9 to sail for London. He'll be away three months in all.

# Other News of Pix Interest

Beery in Budapest but 'Brimstone' banned.....Page 13
WB and Radio.....Page 24
Metro' shorts for WHN use.....Page 25
Brewster Morgan's Hollywood Hotel.....Page 26
Radio Reviews of Grace Moore, 'I Pay For My Seat,' Eddie Cantor, George McCall, Rudy Vallee.....P. 28-29
Bill Desmond goes circus.....Page 55

# Showdown Due in London This Week On Goldwyn-Korda-UA Situation

Alexander Korda would like to unlink himself from United Artists, unless UA can aid him in carrying the overhead of his London Film studios, and also afford him brisker trade in America for Korda product. But that's not all that called Samuel Goldwyn, Douglas Fairbanks and Mary Pickford to London, where they are now.

Goldwyn is dickering for new money. Belief is that Korda has that available, too, and in order to get the fullest consideration of his terms, Goldwyn and Douglas Fairbanks summoned Miss Pickford to come to London.

Whether the new money available to Korda is for his own production purposes or for possible acquisition of control of United Artists presumably depends upon the outcome of whatever conferences ensue between the U. A. partners and Korda with the latter's financial backers in London.

Among conditions which Korda may exact and which Goldwyn is held to favor also is for Murray Silverstone, present European head of U. A., to take the executive helm of the company in America.

Edward C. Raftery, of O'Brien, Driscoll & Raftery, counsel to Miss Pickford, Fairbanks and U. A., is also in London, having sailed with the former. Raftery's sailing may be taken to mean that the chances of a deal on the other side is reasonably close.

United Artists is enjoying the greatest year of its career, according to indications, with its distribution income running upwards of $5,000,000 over last year, under guidance of George J. Schaefer. But on its producing end it may become short, because of the possible departure of David O. Selznick, once he has finished his remaining two picture commitments for U. A. And to attract new producers, U. A. may have to raise new capital with which to finance them. All of which now being studied in London.

### As London Sees It

London, April 5.

As soon as Mary Pickford arrives here from the U. S. she goes into a conference with Samuel Goldwyn, Alexander Korda, Oscar Deutsch, Douglas Fairbanks, Sr., Murray Silverstone and a Prudential Assurance Co. executive to reopen the United Artists deal. Understood that deal to acquire the holdings in the company of Miss Pickford, Fairbanks and Charles Chaplin is hotter than ever.

Transaction is likely to give David O. Selznick bigger bait to stay on,

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## S.O.S.'ING H'WOOD

### Too Many Touches on Pic Stars Rouses Hays Office

Hollywood, April 5.

Hays office has set out to put a stop to the flood of begging letters from all parts of the country currently arriving at the homes of film personalities. Nation-wide distribution of maps and other literature by the All-Year Club and other California promotional enterprises seeking tourist business is blamed.

Practice has resulted in important players being bombarded with requests for photos, donations for pet charities and pleas for jobs. Heaviest influx of mail is from New York and Wisconsin.

# MOVE FOR WPA FILM PROJECT

Hollywood, April 5.

Expenses of Tom Gannon, Hollywood, now in Washington in attempt to induce the Federal government to establish a WPA motion picture product, are being paid by the Studio Unemployed conference. Move was launched by Motion Picture Painters Local 644, but membership now includes representatives of the writers, directors, carpenters, laborers and others.

Films would be made for showing in WPA theatres under proposal fostered by the conference.

# MRS. FOX WINS LEGAL SKIRMISH IN BKPTCY

Philadelphia, April 5.

Mrs. William Fox, wife of ex-film producer, won a skirmish with her husband's bankruptcy trustees in the U. S. Circuit Court of Appeals here last Thursday (31). The court overruled an order of Judge John B. Avis, in Federal Court, Camden, N. J., forcing her to give the trustee records of the All-Continental Corp., of which she is president. Trustees want to know about $7,000,000 which they claim Fox transferred to his wife's firm before he failed.

Judge Buffington, in the Circuit Court here, opined that Herbert Leitstein, bookkeeper for All-Continent, would not have to go to jail, dered by Judge Avis, for refusing to produce the books for the trustees after Mrs. Fox had ordered him not to.

Leitstein, through Mrs. Fox's attorneys, had maintained that the books would reveal nothing concerning the $7,000,000 transaction. Judge Buffington said that Leitstein's offense—if any—in not turning over the books could be remedied by putting him on the witness stand.

## SAILINGS

May 4 (New York to London), Lew Gensler (Normandie).

April 13 (London to New York), Samuel Goldwyn (Aquitania).

April 8 (London to New York), Sam E. Morris (Ile de France).

April 8 (New York to London), Sid Marion, Madeline Killeen (Paris).

April 6 (New York to London), Arthur Field, Mr. and Mrs. Ray Noble, Lily Pons, Moritz Rosenthal, Mr. and Mrs. Victor Schertzinger (Queen Mary).

April 6 (New York to London), Mr. and Mrs. Jack Poppele (Washington).

April 2 (New York to Hamburg), Paul Hindemith, Joe Jacobs (Hamburg).

April 1 (New York to London), Lucrezi Bori, Leslie Banks (Bremen).

March 31 (New York to London), John F. Royal, Mr. and Mrs. Gardner Cowles, F. Hoult Fischer, Philip Guedalla, Beatrice Lillie, Phillips Lord, Grace Poggi, Patsy Shay, Frank Bishop, Gregor Piatigorsky, Emanuel Feuermann, Mr. and Mrs. Milanov-Markevic, Mr. Vladimir Golschmann, Mary Pickford (Normandie).

Mary 29 (Los Angeles to New York), Spencer Tracy (Virginia).

## L. A. to N. Y.

George Arliss.
Fay Bainter.
Mort Blumenstock.
Ray Bolger.
Fannie Brice.
Lawton Campbell.
Terry de Lapp.
Arthur Field.
Lew Gensler.
Hugh Herbert.
Ruth Hilliard.
Lou Irwin.
Rosemary Lane.
Carl Leserman.
E. H. Morris.
Gradwell Sears.
Sam Schneider.
Sid Silvers.
Leo Spitz.
Spencer Tracy.
Reginald Venable.
A. P. Waxman.
Fred Wile.
George Yohalem.

## N. Y. to L. A.

Milton Berle.
Lou Smith.
J. C. Stein.
Frances Webb.
Neil Agnew.

## ARRIVALS

Florence Vidor, Jascha Heifetz, Sax Rohmer, Merle Oberon, Mr. and Mrs. Lynn Farnol, Massi Freccia, John Hartigan, Emmi Leisner, Mrs. Marion Scott, Harry Green, Irving Asher, Jacques Charles, Eva Le Gallienne, Jane Renouardt, Marion Evensen, Fernand Gravet, Julien Benda.

# BROADWAY'S RADIO SQUAWK

## SELL 'EM BEST FROM N. Y.

**There** seems to be conclusive evidence that the major film companies have abandoned any and all plans to move their sales and/or promotional headquarters from New York to Hollywood. Financial G. H. Q., perforce, couldn't very well be shifted from New York, the hub of the world's finance.

**Decision** to retain and strengthen New York as the centre of corporate operations has been wisely reached. Administration of the domestic and foreign markets can best be supervised from Broadway. Hollywood remains as the unrivaled production base; New York is the mainspring of distribution.

**Proponents** for the Hollywood move were encouraged a year ago when most of the major companies held their annual sales conventions on the west coast. It was believed that an insight into the mysteries of production would give the 'boys from the field' a special impetus when they returned to their respective territories and related their experiences to exhibitors. Best answer to the query as to how the scheme worked out is that this spring's sales conventions are being held far from the Hollywood environment. Gatherings are taking place in Kansas City, Chicago, Cincinnati, and other midwestern spots. There must be good reason for this.

**No** one honestly can decry the achievements of Hollywood production. The film-making community thinks, breathes and lives motion pictures. Hollywood has glamour, a priceless asset when viewed from the distance; a mirage in a closeup. Hollywood gets publicity, and the fame of its stars, directors and writers is the alluring selling argument which sends millions of fans weekly to the boxoffices of thousands of theatres.

**Underlying** the Hollywood scene, however, are hard and harsh realities. Successful film producing is a tedious, difficult task, entailing high risks for financial outlay and patient coordination of high-strung creative talent. There is very little glamour in a film cutting room at three o'clock in the morning.

**Experience** over the years has proved the efficacy of separating the producing and distributing organizations.

**When** the historian of the future properly estimates the current film era, he will emphasize the organization genius which trains hundreds of film salesmen in the art of showmanship. Spurred by the power of advertising and exploitation, and their own vivid imaginations, film salesmen contribute substantially to the mechanism of the industry. Their function is important to the business as the activity of any other group. It is time it should be recognized.

**Commingling** of creative effort and distribution showmanship produces an unsatisfactory result. The peek behind the scenes is disillusioning. Enthusiasms are tamed. It is so also the legitimate theatre, and the great masters, Belasco and Frohman, surrounded their stars with cloaks of mystery, and kept from a gullible public the secrets of stage wizardry. It was more than a pose; it was the key to the greatness of their success as managers.

**Picture** industry can profit from the Belasco-Frohman formula, as sound in principle today as decades ago.

**Film** companies face a trying selling season. Certain territories are in the grip of industrial stagnation. Picture production costs are higher than a year ago, and public spending for amusement has declined under outside pressures.

**This** does not mean necessarily that the film business, the purpose of which is to entertain the public, should be discouraged. Hollywood production costs can be trimmed without affecting materially the quality of the output. Consistent and generous advertising with accent on showmanship values in the pictures can stimulate sales and establish and maintain confidence within the trade.

**Guided** and directed from the perspective of New York the industry should go forward, not backward.

## WB GAUGES B. O. DRAUGHT OF PLAYERS

Hollywood, April 5.

Warners has set the machinery in motion for a national survey to get an authoritative gauge on the box office value of its stars, feature and bit players. Company's exchanges in 32 key centers, which are in direct contact with both exhibitors and theatre patrons, will conduct the driv

Final decision to proceed with the plan was reached following the arrival here of Gradwell Sears for conferences with Harry M. Warner, Jack L. Warner, Hal B. Wallis and S. Charles Einfeld.

Sears pointed out that the data obtained from the check-up will enable the company to give future pictures better box office nanics. He added that 10 new productions will be used as the barometer the check-up. Sears party ast tomorrow (Wednesday).

Scheme will go into operation immediately, Sears declared.

## Hays to Coast Around April 15; 4 or 5 Weeks

Will Hays is planning to wait until April 15 or shortly afterwards for his spring visit on the Coast. He came to N. Y. earlier than usual this winter, advance of the annual meeting late in March because of press of anti-industry legislation and quota problems.

Hays plans a stay of four five weeks in Hollywood, returning east mid-June for the usual quarterly meeting.

## 'Pilot's' 352 Prints

Metro is turning out 352 prints of 'Test Pilot' for simultaneous release April 22.

This marks record number of prints on any one picture by studio laborator. Previous high was held by 'Saratoga.'

### Scully Headed West

Hollywood, April 5.

William Scully, Universal sales chief, is due here within a week or so for studio huddles.

Coast trip will be his first since Jan. 1 when he moved over from Metro to succeed James R. Grainger.

## CUFFO DUCATS NO AID TO THE B.O.'S

### In Face of Dipping Grosses, Broadway Showmen Would Curb Gratis Radio Entertainments — Advocate Some Sort of a Tax for Needy Actors, Etc.

### RADIO'S SLANT

In the face of current low grosses, Broadway theatre men are seeking some means of halting the increase in free tickets to studio radio shows in Manhattan, which they claim are adverse to the main stem's box office. Because studio broadcasts play to an estimated audience of 2,500,000 to 4,000,000 people in N.Y. alone annually, without paying tax on ducats, they were advocating either a city tax to help the relief budget or some actors' fund taxation all tickets.

Picture exhibitors were most avid in claiming such arrangement would only be fair in view of coin kept out of paid admission spot tills each year, variously tabbed at $1,000,000 to $1,600,000, predicated on expectation that each studio customer would spend 40c.

Opinions of theatre managers, willing to talk off the record, were bitter on the subject of radio studio shows. Whole thing came to a head recently when a sponsor sprang a special rehearsal show, with ducats and usual former legit theatre as an

(Continued on page 22)

## S-I MEETS ON COAST, RE-ELECTS SAME SLATE

Hollywood, April 5.

Policy of independent production will be continued by Selznick-International, John Hay Whitney, board chairman, revealed in his report at the annual meeting of stockholders and board directors. He declared, 'During the year your company has considered proposals of combination or merger from many major producing and distributing companies. No such association has been entered into due to the feeling of David O. Selznick and myself that results from the past year and indications for the future justify continuance of our policy of independent production.'

Company plans indicate heaviest production schedule in its history. In active command w'll be S-I standbys.

At the meeting, Whitney was reelected chairman of board and Selznick president. Elected secretary was Daniel T. O'Shea, for two years assistant to the president. Loyd Wright, board membe, given the post of assistant secretar.

Others re-elected to executive positions were Henry Ginsberg, vice-prez and general manager; John F. Wharton, treasurer; E. L. Scanlon, assistant treasurer; L. R. Case, assistant secretary and treasurer, and L. F. Altstock, comptroller.

Stockholders include Robert Lehman, Myron Selznick, Mrs. Charles S. Payson, Mrs. Norma Shearer Thalberg, John D. Hertz, C. V. Whitney, David O. Selznick and John Hay Whitney. Named to the board of directors for one-year term were Dr. A. H. Giannini, Lehman, Myron and David Selznick, C. V. Whitney, John Hay Whitney and Loyd Wright.

### Agnew's Quickie West

Neil F. Agnew hopes to shove off for the Coast by the end of the week on a flying trip, returning east in time to preside at the Paramount district anagers sales conclave to be held in Washington April 15-16.

All district mgrs., in addition to Agnew, J. J. Unger, Charlie Reagan and others from the home office will attend.

## Wall St. Still Flirting with Idea Of RKO-Selznick, but All Depends On Reorg; Coast Cold for the Nonce

Wall Street believes that the Selznick-RKO deal not altogether cold, but merely in abeyance because of the uncertain business conditions. There strong sentiment for such a deal among insiders. These feel that it will be time enough to discuss the Selznick-RKO possibility after RKO is reorganized, providing also general conditions permit.

Selznick-International has two more films to make for United Artists before it can undertake to produce for others.

Were RKO's reorganization to be speeded, there is a chance that deal with Selznick-International might be still arranged for the coming season. That Selznick possibility would bring strong manpower into RKO's producing situation.

Understood that the Selznick-Whitney people are interested in obtaining an interest in RKO, if a deal is possible there. That might mean anywhere from one-third to a half ownership in RKO. Terms aren't known.

Hollywood, April 5.

Negotiations looking toward a deal between RKO and Selznick-International have chilled after three weeks of confabs between Floyd Odlum and his Atlas aide, Peter Rathvon, and John Hay (Jock) Whitney and David O. Selznick. Opposing sides were far apart when they finished as when they started, it is reported.

Odlum wanted S-I to make pictures for RKO distribution, while Whitney, who has some $3,000,000 either tied up in or committed to S-I, held out for a merger of the two organizations, with Selznick stepping in as production chief. Odlum balked on the ground that Pandro Berman has been definitely set in the production berth. Whitney rejected Odlum's proposal, arguing that a releasing deal left S-I no better off than it is at present.

## NAT'L ALLIED'S BLAST AT '38 PIX TERMS

Pittsburgh, April 5.

Taking a rap at producers for upping their rentals despite falling off in grosses, M. A. Rosenberg, general chairman of National Allied Convention, coming here May 17-19, in a pre-confab statement over week-end urged exhibitors to withhold signing any contracts for next year until after the Pittsburgh meeti

'Notwithstanding fact that grosses are off from 20-35%,' Rosenberg said, 'and fact that most of the producing companies are cutting down on studio expenses, all of the distributing companies have initiated their 1938-39 sales drives by demanding as much or more money for their new product.

'Exhibitors will save themselves a lot of money if they refuse to sign any contracts until after the Allied convention in Pittsburgh.'

Rosenberg didn't illuminate his statement any further, but left the impression that plenty of fireworks are in store when convention gets under way. It'll be held at the William Penn hotel, and one of the features will be a big building show.

## HY DAAB IS NAMED 'VARIETY' AD MGR.

Hy Daab, veteran advertising and publicity director, has been appointed advertising manager of VARIETY, to succeed Louis Rydell, resigned.

Daab joins this paper April 11. He has been previously affiliated with RKO and Columbi Pictures.

Harvey Day, assistant to Rydell, continues under Daab.

## 20-Fox Extends Markey

Hollywood, April 5.

Producer contract of Gene Markey has been extended for another year by 20th-Fox.

Initials new deal with 'Suez' after he completes 'Suzette.'

### Mannix's Respite

Hollywood, April 5.

Edward J. Mannix, Metro general manager, who returned after a month in the east, where he attended the funeral of his father and participated in home office confabs, has gone to Santa Barbara for a fortnight's rest.

Exec will be back at his studio desk in time to greet Nicholas M. Schenck upon the latter's arrival here for discussions on production.

### U HOLDS GOLDSMITH

Hollywood, April 5.

Universal awarded Kenneth Goldsmith a new producer contract following completion of 'Sinners in Paradise,' his first film for the studio. Two more pictures assigned him are 'Adam's Evening' and 'Shanghai Interlude.'

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# NEW GADGETS IN PIC MAKING WILL SAVE STUDIOS $6,000,000 THIS YEAR

### Review of Hollywood Technicians' Recent Perfections and Inventions Sums Up to Very Tidy General Industry Savings

Hollywood, April 5.

Technicians, unsung geniuses of the film lots, will wrap up $6,000,000 in savings for the producers during the next 12 months. Miracle will be brought about through widespread adoption of new methods and gadgets perfected during the last year and a half by sound, camera, laboratory and other behind-the-scenes specialists.

Real value of harnessing the ingenuity of their scientific and engineering wizards was driven home to the industry's biggies following the close of 1937, when they discovered that the mechanical Aladdins had, through their own efforts, brought about economies totalling some $3,000,000 in the face of constantly skyrocketing costs. Bosses base their estimate for a double slash in 1938 on the previous stanza's figures, plus the fact that orders have gone forward in all plants for a more general usage of the shortcuts and devices.

Expense trimming proclivities, however, are not the only things that have suddenly made the technicians the fair-haired lads of the picture business. Both studio and distribution tops are acclaiming them also for the vast improvement they have brought about in screen entertainment as well as in its projection in the theatres.

**Cutting the Corners**

Most important item, from the standpoint of budget pruning, is the forward march they have brought about in process work, marked progress which has practically eliminated the need for taking expensive casts and atmosphere armies on distant locations. Another expense biter-into is trick photography. Doubling of the length of reels to 2,000 feet, which is also a technician's perfection, has also brought about a heavy cost shrinkage.

Betterment of screen menus has come about through the use of new lighting, camera, sound recording and negative and print development systems, credit for all of which falls into the laps of the studios' own technical groups. Also aiding in drawing additional converts into the worldwide army of cinema fans are the startling changes they have brought about in film projection lights and sound projection equipment in use in the theatres.

Each soldier in the technical army serves on one or more of the 350 committees that make up the Research Division of the Academy of Motion Picture Arts and Sciences, of which William Koenig, Metro studio manager, chairman, and Gordon Mitchell, executive secretary. Latter, formerly a studio sound engineer, now devotes all of his time to the task of coordinating the work of the various boards. Meetings of from one to 15 of the long list of committees are held nightly. Between sessions the members labor in their individual workshops, seeking to put theories into practice.

**Waive Monetary Reward**

For four years, the major producers have been paying the upkeep of the research council. Inventions worked out by members bring no private rewards. They turned over to corporations manufacturing that particular type of equipment free of charge. Only extra remuneration the inventor draws is the satisfaction that he has done something for the betterment of the picture business as a whole.

Example of technicians' genius is the two-way horn system of sound projection, now in general usage in theatres. Douglas Shearer, Metro's chief sound engineer, conceived the idea and developed it in a general way. Then he laid it before his fellow Academy workers. As a group they ironed out the snags and Shearer completed the job. It garnered him an Academy Oscar, as well as the thanks of every production official and theatre operator.

Shearer's contribution is only one of [illegible]00 important equipment inventions that have come out of the Academy research council since 1935.

**Par's $300,000 Clip**

Current illustration of the importance of the advance in process camera work is found in the filming of 'The Texan,' where use of recently-devised methods permitted Paramount budget fixers to scissor their original cost estimates by $300,000.

Development of the 2,000-foot reels, which required 24 months of joint effort on the part of the cameramen and film lab crew, is credited with having brought about a saving to the major studios of more than $750,000 annually in eliminating waste footage both on negative and prints.

## WB Wins Klan's Squawk Over 'Black Legion' But Still Has 'Fugitive' Suit

Atlanta, April 5.

Federal Judge E. Marvin Underwood Friday (1) dismissed patent infringement suit filed by Knights of the Ku-Klux Klan against Warner Bros. Pictures, Inc., and Vitagraph, Inc., involving use of Kluxers' cross insignia the pic 'The Black Legion.' Klan filed suit Aug. 10, 1937, seeking damages totalling $113,500, setting out that cross design used by organization was patented in September, 1925, by William J. Simmons.

Judge Underwood, in tossing out suit, ruled that it was no infringement 'to merely take pictures of costumes or other articles on which may be a patented design, and exhibiting them as the films in question were distributed and exhibited.'

Warners and Vitagraph and a group of other still have more court grief ahead of them down this way. Trial of $200,000 libel suit of Judge Vivian Stanley, of State Prison Board, has been placed on superior court calendar by special order on April 18. This suit grew out of pic, 'I Am a Fugitive from a Chain Gang.' Stanley charges film was based on book, 'I Am a Fugitive from a Georgia Chain Gang,' by Robert Elliott Burns, notorious Georgia fugitive.

## TWO MORE BREAD 'N' BUTTERERS AT 20TH

Hollywood, April 5.

Two new series are being launched by 20th-Fox.

One will be 'Adventures of a Newsreel Cameraman' and the other a romantic adventure series of a modern girl under title, 'Young Miss America.' Sol Wurtzel handles newsreel film while Howard Green supervises first 'Miss America.'

Other series turned out by studio are 'Jones Family,' 'Mr. Moto' and 'Charlie Chan.'

## Depinet Drive's Finale

Jules Levy stopped over at Hot Springs, Ark., on his way back from the Ned Depinet dinner in Dallas.

Final phase of the Depinet sales drive gets under way April 16 and continues into May. Drive 90 days in all.

## Two Wait on Gravet

Hollywood, April 5.

Fernand Gravet, en route back from France, will start work on Metro's 'The Great Waltz,' in which he will be co-featured with Miliza Korjus.

Following 'Waltz' he will go into the Mervyn LeRoy production of 'Slightly Married,' based on the stage play, 'Private Lives.'

### ANOTHER QUINTER

Hollywood, April 5.

Twentieth-Fox troupe, headed by Director Alfred Werker and Jean Hersholt, goes to Callander, Ontario, May 10 to start the next quint picture, 'Five of a Kind.'

Joan Davis has the comedy spot.

## ARABIC GEO. WHITE GETS $500 DAMAGES

Cairo, March 14.

Quite a powwow here this week when leading local was awarded $500 damages against 20th-Fox in a libel action against the Royal Cinema. 'George White Scandals of 1935' was the cause of it all. Town was plastered with posters. Royal's landlords happened to be on holiday and the Arab translator rendered it into 'Scandals of George Abiad,' literal Arabic translation for White.

It so happens that in Cairo resides one George Abiad, and the gent got plenty sore when he noticed his handle plugged, together with 'Scandals' staring him in the face everywhere. He said his rep had been 'injured' and he lodged an action in the Cairo Mixed Court (Civil Chamber) presided over by Judge Gautero.

He won a $500 award.

## Jolson's RKO Dicker

Al Jolson and Leo Spitz have been dickering on the Coast for a one-picture deal by the comedian on the RKO lot. William Morris agency's Abe Lastfogel is representing Jolson.

Ruby Keeler (Mrs. Jolson) has been set for some time on an elastic deal to make one to three filmusicals for RKO.

## CAN'T TAKE IT

### Col. Will Move Stage Comedy Out on Street in Pic.

Hollywood, April 5.

Columbia has moved the date for the start of production on 'You Can't Take It With You' back to April 15 and meanwhile is trying to borrow Metro's James Stewart to play opposite Jean Arthur.

Stage play's plot has been considerably revised for the film, which Frank Capra will direct, with action taking place on a New York street set instead of inside the home.

## U'S M-G TALENT IN STORY DEAL

Hollywood, April 5.

Negotiations between Metro and Universal, being concluded, involve transfer of story properties for cash and player loans. Deal would give M-G full picture rights to 'Madame Curie,' 'Showboat,' 'Strictly Dishonorable,' 'Destiny Rides Again' and 'The Flirt' for a cash consideration reported of around $200,000 and the loan of three featured players for one picture each.

Deal gives U needed cash, and out of the story buys Metro lands 'Curie' for which Samuel Goldwyn recently made a cash offer of $150,000.

## Metro's Scrib Import

Hollywood, April 5.

Laszlo Vadnai, Hungarian playwright, has arrived from Budapest to begin a term contract with Metro.

He will spend some time studying American filming methods before being handed his initial assignment.

# Ted Lewis' Squawk at Hollywood's Milking Stage Names for 1-Time Pix

By HAROLD M. BONE

New Haven, April 5.

Ted Lewis has a peeve at Hollywood.

The vet tragedian of jazz expressed himself in no uncertain terms here. He objects to the treatment given certain stage names in their ventures into film circles. According to Lewis, film moguls are more concerned with cashing in on these names in a single picture rather than trying to build them into permanent picture draws.

For examples, he cites the Ed Wynn and Jack Pearl washouts that cropped up a few seasons back, not to forget his own experience in crashing films. 'Hollywood, of course, knows all there is to know about show business. You may be a certain type of entertainer with a definite style of your own and if allowed to carry that style into a picture you would click nicely. But the bigwigs out there are not particularly interested in that. They've bought your name for a production and they handle things their way, or else.

'In the first place they know they never intend to make another picture with you, so why bother about little things like scripts, etc. They figure to get what they can out of the single film, then bring on the next victim. Look what happened to Ed Wynn and Jack Pearl. They were names that meant something at a box office for a single try in films but not for a second attempt—not after Hollywood got through with the first deal.

'The Hollywood boys have a nifty way of kidding you into playing along with them while producing their single-try turkey. When you object to the way things are going and attempt to point out how you can improve things by emphasizing your own individual style, they soft-soap you beautifully.

'If you fall for this line, you accept whatever they hand you, make the picture according to Hollywood directions and then wait for the release—and the awakening. On the other hand, if you don't fall for it, you do as I did in my brief picture career. You tell the moguls it's okay with you if they're crazy enough to pay you a fat sum for appearing in the picture because, after all, you've built up a name in your own medium, the stage, and nothing they can do in releasing a dud picture can hurt that name.'

## Miss Judge and Ruggles Give In to Uncle Sam

Washington, April 5.

Another pair of Hollywood victims of the federal tax roundup yielded last week and agreed to fork over most of the amount which the Internal Revenue Bureau claims is due through miscalculation of liability.

Compromise in proceeding before U. S. Board of Tax Appeals requires Arline Judge and her former spouse, Wesley Ruggles, to hand Revenooers $1,423 on account of 1934 earnings. Feds tried to collect $2,000, basing claim on erroneous deductions for clothes, cosmetics, and telephone and telegraph bills.

## 'Angels' Ready for Cagney

Hollywood, April 5.

John Wexley has completed the screen play for Warners' 'Angels with Dirty Faces,' which will go into production as soon as James Cagney completes his work in 'Boy Meets Girl.' Pat O'Brien will share top honors with Cagney.

Warren Duff collaborated with Wexley.

## Monty Banks Rusticates

London March 30.

Monty Banks remained in town only a couple of days after his return from Hollywood. He then went to Italy to supervise some extensive improvements on the large farm he owns there.

Director has taken in practically the entire village on communistic arrangement for running his agricultural estate there.

## Irene Lee at WB

Hollywood, April 5.

Irene Lee has been named story editor at Warners.

She succeeds David Matthews who heads the new Junior Writers group.

### METRO'S TWO LEGIT TESTEES

Frederick Leister, lead in 'Bachelor Born,' was screentested last week by Metro.

Harriet Chase, ingenue who played in stock last summer, also was given a test by Metro.

# Powell Follows Bette Davis Off WB; Her 2d Walk

Hollywood, April 5.

Old feud between Bette Davis and Warners, which resulted in a London court defeat for the star two years ago, has flared anew, with the '36 Academy winner again off the studio payroll. There are two versions to the new squabble, one that she felt she was entitled to further rest following the completion of 'Jezebel,' the other that she objected to the role assigned her in 'Comet Over Broadway.'

Actress has done five pictures since she returned to the lot after the legal action in Britain.

'Comet,' written by Faith Baldwin and screenplayed by Mark Hellinger, was to have rolled last Thursday (30) with William Keighley directing. Starting date has been set back, with Warners hopeful Miss Davis will change her mind. Irene Dunne and Miriam Hopkins being considered for the part if she doesn't.

Warners complained to Screen Actors Guild, asking official discipline for the actress' 'refusal to accept the lead in 'Comet.' Board considered action, but declined to proceed unless the studio and actress accept the Guild's decision as final.

Board contended any Guild action would be on pre-judging court litigation, which is held certain to follow unless an amicable settlement is reached.

By mutual agreement with Warners Dick Powell went off the pay roll Monday (3) for 12 weeks under suspension. Powell demurred at taking part assigned him in 'Garden of Moon,' feeling role not important enough and secondary to that of Pat O'Brien. Studio then advised him that under the circumstances he would be placed on the suspended list, as there are no other assignments for him currently.

Powell consented, as he wants to be near his wife, Joan Blondell, on her approaching motherhood.

Powell said it was first time in his six years at the studio where situation arose where he had to assert himself on a part. He said he felt helpful assignments should be given him and hoped such would be the case when he returns to the lot.

Part in 'Moon,' intended for Powell, goes to John Payne, recently signed by Warners after leaving Paramount. Studio figures to give him a build in 'Moon,' grooming him for possible stardom.

## LESSER PLANS H'WOOD CAVALCADE, 'CELLULOID'

Hollywood, April 5.

'Celluloid,' a Hollywood cavalcade written by Rupert Hughes, screen rights to which Sol Lesser has owned for three years, will be made as a Principal Pictures special. Filming will get under way during the summer.

Lesser plans to withhold releasing arrangements until after production is completed.

## Grauman Opens Roller Bowl on WB Pic Stage

Hollywood, April 5.

Sid Grauman has turned roller skate mogul and leased a sound stage at the old Warners lot on Sunset boulevard for conversion into a roller bowl. Spot with skating room for 1,500 opens Wednesday (tomorrow). Admission tap is 25c with an additional quarter levied to strap on the rollers.

Grauman has sloganed the site 'Skat With the Stars' and each night he will have picture people cavorting around the saucer. On the opener Tyrone Power and Ann Shirley are scheduled as the attraction. Al Painter, veteran showman, will operate the bowl for Grauman.

Gross of $4,000 weekly anticipated, with Grauman's nut around $150 daily. Two electric organs will grind out the music.

To aid the bally for the rollerdrome, Frederick Bowers has composed themer, 'Let's Go to the Roller Bowl and Roll, Roll, Roll,' which will be used on the daily broadcasts over KFWB.

# JOE WEBER TACKLES FILMS

## Hollywood Production Near Normal As Studios Rush Films Into Work

Hollywood, April 5.

Production speed-up is currently restoring studio operations to near normal after a letdown of almost four months. This was indicated by the number of features given starting dates during the week, as well as in the long list of writer assignments passed out.

Paramount put several films into preparation. Included are Cecil B. DeMille's next film, 'Union Pacific.' Jack Cunningham, scenarist, and Frank Calvin, researcher, having been dispatched to Nebraska City, site of the U.P.'s museum, to gather material. Same studio also assigned John C. Moffitt to write the screen play for W. C. Fields' next, 'Behind the Eight Ball,' and Frederick Hazlett Brennan to a similar chore on the forthcoming Bob Burns-Martha Raye starrer, 'Our Leading Citizen.' Fields' picture is set for a camera start May 2 with Paul Jones producing and Tom Reed directing.

Warners' 'Because of a Man,' nee 'Sister Act,' which was originally set for June start, will get the gun April 18. Errol Flynn will be featured, Henry Blanke producing. Burbank outfit has also assigned Manley Hall to script 'Lines of Fate,' on which production will begin April 29.

Metro is fixing to turn the lenses on 'Northwest Passage,' a Technicolor special, which Director W. S. Van Dyke will pilot, starting within a few days after he brings in 'Marie Antoinette.' He has already picked his location spots on Vancouver Island.

In addition to several lesser features to get under way at Metro during the next four weeks, filming will be started on at least ten short subjects.

Another fortnight will see the start of shootig on Walter Wanger's 'Algiers,' while Samuel Goldwyn will put 'Graustark' into camera work in May.

Republic has on its pay roll at the moment the largest staff of writers in his history. Company plans to start at least three new features a week for the next seven weeks.

Layoffs are drifting back to the Roach studio for Our Gang comedies and features in preparation. Over 100 have returned to the payroll the last few days.

## RKO'S $40,000 PAYOFF TO HOWARD HAWKS

Hollywood, April 5.

Howard Hawks has settled his directing contract with RKO, taking $40,000 on payoff. Pact had around eight months to go and actual cash changing hands was $15,000, as Hawks drew $25,000 in advance.

'Gunga Din,' to have been handled by Hawks, goes tentatively to Frank Capra.

## 'Marie' Back in Work

Hollywood, April 5.

Production on Metro's 'Marie Antoinette' resumed yesterday (Mon.) following the return of Norma Shearer from Sun Valley where she went for two weeks' rest.

During the shutdown, Direct W. S. Van Dyk inspected Vancouver Island, searching for location spots for 'Northwest Passage,' which he will film following completion of 'Antoinette.'

## Mae West to London?

London, April

Reported here that Mae West being set for London cabaret engagement sometime in June. Would bring over a company of 10 at ported salary of $20,000 weekly.

William Morris office in New York intimates that a deal in the works, but nothing set.

### Tinted Bible

London, April 5.

Screen treatment of the Bible in three feature-length pieces in color has been proposed by Vogue Films, Ltd.

Studio has announced it expects to spend $2,000,000 on the venture and employ 10,000 persons for a year, probably at Pinewood.

Vogue's production setup has Howard Walsh as head, with Arthur Rank, Lord Portal and Charles M. Woolf on the directorate. General Film Distributors, Ltd., the Woolf organization, will release the Biblical pic.

## COURT RULING ON H'WOOD AGENTS

Hollywood, April 5.

California supreme court, in a ruling handed down Friday (1), has upset the entire procedure in the matter of handling talent agency claims over contracts terminated by clients. Hereafter such actions need not be taken first before the State Labor Commission for arbitration, but will be permitted direct entry into the courts, the high tribunal decided.

Ruling, of great importance to agents operating in the film and radio fields here, was handed down when the supreme court denied a hearing on the appeal of Stanley Bergerman, Inc., from a lower court decision which affirmed Louis Friedlander's cancellation of his managerial pact with the agency.

Decision throws open the courts to agents seeking damages for termination of contracts by their clients, but power of the Labor Commission still stands as far as disputes are concerned where there has been no written notice of discharge.

Friedlander, plaintiff, is professionally Lew Landers. Suit has been in the courts for nearly two years.

## 'WIZARD OF OZ' AS MERVYN LeROY MAYBE

Mervyn LeRoy tinkering with 'Wizard of Oz' and probably also 'Topsy and Eva' as his next productions at Metro. 'Oz' was one of the pet ideas Irving Thalberg had mulled up until his death.

Since Arthur Freed's split with Nacio Herb Brown as a songwriting team, in order to join LeRoy as a production aide, Freed is bringing in Al Dubin as Brown's lyricist. They may do the 'Oz' songs.

Metro's eastern talent department is scouring the woods for suitable animal impersonators for one-time shot in 'Wizard of Oz,' vehicle Fred Stone did on musical comedy stage.

## Jimmy Ritz-Ruth Hilliard Nuptials East; Then P.A.'s

Hollywood, April 5.

Harry and Jimmy Ritz, accompanied by Ruth Hilliard, are heading east today (Tuesday) where nuptials of Jimmy and Miss Hilliard will be performed next week.

Lou Irwin, their agent, also made the trip with Al Ritz, hitting for the east last weekend.

Ritzes will do two three weeks of personals before returning.

## AFM PREZ NEXT AFTER STUDIOS

### Powwowing with Picture Industry's Top Execs on More Work for Musicians in Hollywood—A Sort of Ultimatum

### SAME AS RADIO

Joseph N. Weber, president of the American Federation of Musicians, is extending this week a series of invitations preliminary to forcing a showdown on the practice of dubbing music from soundtracks and records by Hollywood studios. If the discussions with major film producers, stemming from these invitations, fail to bring about an agreement to halt all dubbing, including atmospheric music, Weber will advise the picture industry that the services of AFM members will not be available to it after a stipulated date. This deadline will likely be issued before the AFM convention, which opens in Tampa, June 7.

Among those that Weber is asking to meet him for an airing of the dubbing situation are Sid Kent, of 20th Century-Fox; Nick Schenck, Metro; Leo Spitz, of RKO; H. M. Warner and Jack Cohn, of Columbia. No move will be made to deal with the smaller producers until the federation has obtained the actions of the major companies.

Decision to bring the dubbing controversy to a head was reached during a meeting of the AFM's executive board in New York last week. The board gave Weber full authority to proced any way he wished, but at the same time urged that he take immediate steps to bring the situation under the union's control.

**Same Procedure**

Weber's proposed procedure with the studios is similar to that which he applied to the broadcasting industry when the AFM undertook eight months ago to increase employment among the radio stations and networks. He notified the broadcasters individually that the services of remote bands or outside symphony orchestras would not be available to them as of a specified date. At the same time transcription and phonograph record manufacturers were informed that they'd no longer be permitted to use AFM musicians. In the negotiations which followed, network-affiliated stations agreed to boost their musicians payrolls by $2,030,000 a year for a term of two years.

It is the AFM's contention that the dubbing practice has been making tremendous inroads on the employment of musicians in the picture studios and that despite the creased percentage of musicals in the past few years there's been a marked downbeat in the number of jobs available to instrumentalists in Hollywood. Weber explained that this issue has nothing to do with the employment of musicians in theatres.

## While 70% of World's Screens Still Serviced by U. S., Rising Tide Of Foreign Nationalism May Curb Biz

Washington, April 5.

Rising tide of nationalism threatens to narrow the foreign market for American pictures, although U. S. product held its own in 1937 in the face of growing restrictions against imports.

Uncertainties confronting American exporters were reviewed last week in a bulky study of overseas markets issued by the Commerce Department. Is the work of Nathan D. Golden, Chief of the Motion Picture Division of the Bureau of Foreign and Domestic Commerce.

Although many governments tensified efforts to build up their own producing industries and raised the barriers against U. S. films, our export trade picked up slightly in 1937, Golden's figures showed. Shipments of positives rose nearly 5,000,000 feet, with basic valuation gaining $251,937. Sales of negatives went up slightly, due to a rise of nearly 900,000 feet in volume of silents which wiped out a drop in sound footage.

Considering consignments of both negatives and positives, silent and sound, trade with all foreign markets totaled 215,721,956 feet with declared value of $4,797,641 as compared with 209,651,404 feet worth $4,631,639 for 1936. Breakdown for last year showed exports included 200,245,663 feet of sound positives, a rise of 4,338,289 feet, with a valuation of $4,242,012, which $216,245 better than 1936. Silent positives amounted to 2,851,039 feet worth $87,362; silent negatives to 3,038,623 feet worth $113,689; and sound negatives to 9,586,631 feet worth $354,578.

Stiffer foreign competition was encountered last year, although the American film continued to rank at the top in a demonstrated popularity and increased production abroad proves that other nations are bound to bolster their own industries, besides cutting down the playing tim of U. S. product. Foreign-made output totaled 1,809 features, gain of about 400.

**Japan's Huge Strides**

Japan took rank as the principal foreign source, despite efforts of the English, Germans, French, Italians, and others to get into the big leagues. Nipponese output was 500 films out of the 959 features ground out in the Orient and Near East.

European production was accelerated. Output embraced 760 features, gain of 39. England was far in front

(Continued on page 19)

### Welcome Off the Mat

Hollywood, April 5.

When Paramount pitched location at nearby Balboa Beach for exteriors on 'Spawn of the North,' the natives tossed a celebration for the visiting celebs. Two days later they put the gendarmes on them.

Noise of the whaling guns disturbed their sleep so the police slapped on a curfew.

## WB ALSO TO GO OFF 'B' FILM STANDARD

Hollywood, April 5.

A new production policy is believed nearing the announcement stage whereby Warners plans to seriously curtail 'B' pictures for high-budget films for next season. Tipoff is studio's refrigerating of 'Singing Cop,' 'People's Mouthpiece' and 'Murder Will Out' for stiffer budgets to come.

From cut of the front office seeps word that the studio will outdo Metro's bellweather abandonment of B's movement. Understood sales chiefs will impart that information to field crews at impending regionals. Upping of budgets on nearly all features will reportedly cut down season's volume.

Bryan Foy, studio's 'B' production chief, is said to get stiffer priced pictures for his lineup which will remove stigma of second-class feature. 'Cop,' with budget of $175,000 and the top naming of Dick Foran to replace Phil Regan, was cancelled Monday when it was to have rolled. Others also set back while studio heads study prospects as a heavy coin-budgeter.

Foy's writing staff clipped from 30 to 10, with other departments also taking cuts in advance of new policy.

### QUEEN MAKES GOOD

Hollywood, April 5.

Cheryl Walker, Pasadena Junior College -ed, who won a Paramount contract result of her appearance as queen of the 1938 Tournament of Roses, has been handed the featured femme role in that company's 'Men With Wings.'

It will mark her second screen appearance.

## Atlanta Federal Reserve Bk. Report Shows S. E. Coming Out of Recession

Atlanta, April 5.

Report of Federal Reserve Bank, released April 1, reveals retail trade in February throughout Sixth (Southeast) District increased considerably (9.3%) over Januar and 1.3% larger in dollar value than in February, 1937.

Atlanta led the whole district with a 11.5% increase over January biz and 2.2% above February, last year. Indexed at 100 from monthly reports from 1923-25 as basis, Atlanta's adjusted retail trade index for February was 206.7. Retail biz other Southern cities in February were Birmingham, 96; Chattanooga, 86.2; Nashville, 95.4, and New Orleans, 95.2.

The bank report stated:

'Volume of retail trade the Sixth District increased by more than the seasonal amount from January to February. Wholesale trade also increased in February, although in each of the five past years there has been a decrease from January to February. Business failures, both numbers and liabilities, declined in February, but were substantially larger than a year ago.'

Summed up, the report indicates Southeast is riding out business recession and coming off in pretty good shape, which means Southerners will continue to spend fair share of their incomes with various branches of amusement biz below the Mason-Dixon line.

## GEO. BILSON'S PROGRESS; MILTON GROPPER'S, TOO

Hollywood, April 5.

George Bilson settled his writing contract at Warners and joins Universal next week as a producer to do series of collegian features.

Milton H. Gropper is also departing Warners to cook up yarns for Bilson pictures. Bilson was on WB payroll 10 years, starting as an exploiteer.

## Chester Morris Turns Magi; Booked for Vaude

Chester Morris, film player, breaks in as a vaude single April 25 for one week at the indie State-Lake, Chicago.

Actor, for years an amateur magician, will incorporate some of his gimmicks into his turn.

### PENALTY OF YOUTH

Hollywood, April 5.

Universal has withdrawn Nan Grey from the cast of its John M. Stahl production, 'My Letter of Introduction,' and assigned the role to Rita Johnson.

Execs decided Miss Grey is too young.

# From Coolacres to H'wood; Lefty Philosophizes on Life, Spring, Etc.

### By Joe Laurie, Jr.

Hollywood, April 5.

Dear Joe:

Well, spring is here and it sure gets in your bones, direct, without an agent. It kinda gives you that 'I don't feel like it' feeling, you know, I don't feel like doing this and I don't feel lik doing that. It gives the customers the same feeling—the noise of the ticket machine seems to scare them away. Everybody out here seems to want to stay in the sun as long as possible to get the dampness out of their systems after those weeks of high water mist we had. Business is phenomenal, but I think it will get better.

Well, the only thing to do for that spring feeling is to play that parlay of sulphur and molasses and an auto trip. So I got out the buggy, the is so old that the upholstery is turning gray, but it rides pretty good. I've been learning Aggie how to drive behind the wheel for a change instead of her sitting next to me and wearing out her feet on imaginary brakes. She's all right and is getting so that the road is beginning to turn when she does. She wants to know how to drive so she will be able to take Junior to school when he gets older. I asked her the other day did she have enough gas and she sez, 'The thingamabob points to half,' but she didn't know if it means half full or half empty. She's always clowning.

Well, we left Vic in charge of what little business there was, and Aggie, Junior and me stepped on it and started for Hollywood. We had a nice trip. We stopped off in different towns on our way down and it seems everybody is worrying about business. Somebody else's, not their own. Everybody is afraid of something and nobody can tell you what it is. I talked to a guy that owned a grocery store and he was worried about Mexico taking over the oil companies' property, and a guy that owned a gas station was worried about Hitler and Mussolini. A cowhand we gave a lift to was worried about the war in China, and a waitress only talked about the stock market, although she never owned a hunk of stock in her life. I say, if we all worried about our own business in no time we'd all be better off and not have to worry any more. If the producers made good pictures the people would want to see them, and to get the money to see them they'd have to work, and if everybody works everything will be okay, so you see I practically got the formula to bring back good times and prosperity. Aggie wants me to give my ideas to the big picture people, but you know how tough it is to see those guys—you gotta be a banker for them to see you.

**Slapsie, Frisco, et Al.**

Well, arrived in Hollywood okay and the town is about the same, but the boys and girls are a little thinner. Slapsie Maxie Rosenbloom has a cafe on the style of Jack White's Delirious Den in New York, and he is doing a good business. Joe Frisco is working there and puts over plenty of nifties. I asked Joe how he liked California and he said, 'The place is okay, the scenery is beautiful, but when a guy gets hungry he can't put catsup on the mountains.' Slapsie is getting to be plenty of a comic on his own. We met Hildegarde, a gal we played with on the bill a few years ago, and now she is the toast of Paris. I said to her, 'Oh, so you're a French Toast,' which didn't even get a snicker from her. Maybe she's right. She goes east to open at the Versailles few weeks. She had us up for dinner and Aggie made her show her wardrobe she got in Paris. I never saw so many hats, shoes and dresses outside of a store. Seeing all those clothes gave Aggie the shopping bug, so I ended up buying her a hat, and according to the price of women's hats they will call those birds that sell'em millionaires instead of milliners.

I dropped off at the Exchange to see if I can settle that lawsuit they got against me, and found a new manager there. He treated me swell and took me out to lunch at the Brown Derby. We kept punching the bag about everything but the lawsuit, so when I finally brought it up the guy was thunderstruck. It seems he took me for somebody else; some exhibitor they were trying to sell bill of goods to. Well, we parted colder than a polar bear's nose. What's worrying me now is, will they sue me for the lunch check, too?

Give our best to the gang back east. We'll be around here for about a week, so I will spill some news to you about this Fake Fairyland next week, sez.

Your pal,
*Lefty.*

P. S.—Bert Wheeler, the actor-landlord of Palm Springs, 'It's the little things that worry us. You can sit on top of a mountain but you can't sit on a tack.'

# Par in N. E. in Tiff With RKO Over 'Snow White'; Special Terms

The Paramount M. & P. circuit in New England, operated by Martin J. Mullin and Sam Pinanski, is locking horns with RKO over availability of 'Snow White,' with the controversy hinging around whether M. & P. is entitled to the cartoon under its term franchise with RKO.

Distributing company, which has a three-year product deal with the New England chain, contends that 'Snow White' is not included, while M&P is insisting it deliverable under the contract. Since the Disney picture is being marketed separately at high rentals, it is possible that M&P may be raising a fuss in order to get the rental demands down.

Picture has played Boston, Providence and Lowell, situations in which RKO itself has theatre, and where, as result, M&P has no call.

## Checks In on Chicks

Hollywood, April 5.

Joan Bennett is set for the lead in RKO's 'Mother Carey's Chickens,' originally intended for Ginger Rog- Screenplay is based on Kate Douglas Wiggins' novel and will be produced by Pandro Berman.

Actress has been borrowed from Walter Wanger for the role.

## No Permanent Successor To Dr. Fishel at Saranac

Harold Rodner, v-p of the Will Rogers Memorial Fund, states that no permanent successor has been named to the post vacated by Dr. Karl Fishel, who resigned last week from Saranac Lake sanitarium. Dr. George Wilson is still temporarily superintending things.

Herman T. Levine is not a trustee, as previously stated. Levine states he is only the auditor for the fund and an employee having no connection with administration of its affairs.

## Cukor's 'Zaza' Bid

Hollywood, April 5.

Paramount is negotiating with Selznick-International for the loan of George Cukor, wanted for the direction of 'Zaza.'

Albert Lewin will produce.

## BAXTER AS MEDICO

Hollywood, April 5.

Warner Baxter draws the title role in 'Baby Doctor' at 20th-Fox.

Peter Milne based his screen play on Charle Bonnet's original.

### Silvers' In-Between Rest

Hollywood, April 5.

Sid Silvers and Lillie Haywar have finished their chore the screen play for Paramount's 'Rainbows in the Night' and the former leaves tomorrow (Wed.) for New York before starting work in a featured role in the picture.

Jeff Lazarus will produce.

## Out of Focus

Hollywood, April 5.

Stand-ins no like being called stand-ins. Studios have been petitioned to catalog their calling as 'focus artists.'

But they'll still stand-in.

# How RCA Benefits From RKO, Sarnoff Tells 19th Meet

Discussion of Radio Corp.'s stake in RKO and the extent that it had benefited from the deal with the picture company formed the highlight of the 19th annual stockholders' meeting of RCA yesterday (Tues.). David Sarnoff, president, who presided, related the sale of portion of holdings for about $5,000,000 and the $500,000 received Jan. 1 this year for one-twelfth of its remaining holdings. Explained that RCA had obtained about $6,000,000 in equipment business from the film company and that RKO had the right to renew its option for stock purchase by paying $500,000 in June.

Sarnoff flatly stood on his attitude that the deal with RKO was good for stockholders of Radio Corp. when questioned by inquisitive shareholders. Corporation also received $500,000 cash the first of this year to apply on purchase of RCA's stock interest in Victor Talking Machine Co. of Japan, Ltd., Radio Corp. holdings having been sold for $2,000,000 in 1935 and only $250,000 remains unpaid.

Sarnoff told the meeting, when interrogated, that RCA welcomes the F.C.C. investigation and will co-operate with the Government agency. He said his corporation had nothing to conceal. A stockholder suggested that Radio Corp. adopt the same system of independent auditing now used by U. S. Steel and Westinghouse.

Sarnoff, Arthur E. Braun, John Hays Hammond, Jr. and Edward W. Harden, all directors presently, were re-elected for a term of three years, expiring in April, 1941. One shareholder commented on the fact that only five out of 12 directors were at the meeting. One was sick, other was out on company business and Charles G. Dawes, recently named, did not attend because he was a newcomer, it was explained.

Questioned about whether directors held stock in the corporation and how much, Sarnoff revealed that all 12 had holdings, though two or three only possessed about 100 shares of common each.

Formal statement by Sarnoff revealed that taxes in 1937 equalled 42c a common share or more than twice the dividends paid on this class of shares last year. He said 1938 first quarter would show the company operating at a profit in all of its divisions with enough to cover preferred dividend requirements plus a small balance for the common.

Sarnoff revealed that net profit of National Broadcasting Co., 100% owned subsid, was $3,700,000 in 1937, after all charges, taxes and substantial investment in television and research. Gross earnings were placed at $41,000,000.

Regarding facsimile radio-television, Sarnoff said that the company hoped to develop a common medium between radio and the newspapers but it was not the purpose of his corporation to compete in any way with publications if and when radio newspaper ready for sending into the home. Explained that RCA system of facsimile had been tested for a year on the circuit between New York and Philadelphia.

Plans for activity of RCA at the N. Y. World's Fair also were described briefly.

One stockholder approved management policy of abolishing company unions.

Message of congratulations to be transmitted by radio was voted by meeting to General James G. Harbord, chairman, ho officially representing RCA at the world radio conference in Australia.

Metropolitan Playhouses, Inc., and wholly owned subsidiaries showed a net income of $98,317 for the year ending Jan. 31, this year. Rent i come for year was $3,609,831. Rent and administrative expenses totaled $2,888,401, while dividends to be added to other income were $154,200. Depreciation and amortization of leaseholds, buildings and equipment amounted to $442,821, interest expense was $340,332, while $19,903 went for federal income taxes.

**Mad. Sq. Garden Up**

Earnings for Madison Square Garden and subsids for three-month period ending February 28 topped similar period last by more than $30,000, report issued last week showed. For the Februar quarter this year corporation reported $331,280 after charges and taxes, equal to $1.17 per share while in like period last year, arnings were $251,247 or 87c per share.

This showing helped Madison Square to turn in $302,429 profit for the nine months to the February date or $1.07 a share as against only $195,133 or 68c a share in similar three quarters a year ago. Corporation has paid 20c a share this yea to date.

# The Girls' Eye View

### By Marian Squire

**'Lady X' in Color, but No Eyebrows**

Ex-exotic Merle Oberon takes kindly to the color process in 'Divorce of Lady X,' except for one important feature. Her eyes and eyebrows practically disappear. It may be difficult to do anything about the eyes themselves, if they don't respond to color, but surely the addition of eyebrows is a simple matter, and might have helped to bring out the eyes.

It takes 'Lady X' quite a while to get started, because there isn't enough plot to cover so much territory. Long conversations and longer periods of silence take place before anything really happens. When the story is finally arrived at, Miss Oberon, Laurence Olivier and Ralph Richardson manage to keep things moving at better speed.

Clothes are a matter of prime importance in a color film, and Rene Hubert does well with the wardrobe, favoring an odd shade of soft bright blue for accent in most gowns.

A winterhalter costume ball dress for Miss Oberon is white with blu bows on the hoops and complemented with a huge ostrich fan in shades of blue. A black, fur-trimmed suit worn with a halo tam has a blue blouse, and a blue suit is trimmed in gray fur and finished off with halo tam with fur band. An evening gown worn under sweeping ermine wrap is one of those precarious looking affairs without shoulder straps. The gown has very little bodice, and plainly shows that Miss Oberon is one of the few slim women who can expose her back without flaunting her shoulder blades.

Binnie Barnes, playing a lady with four authentic marriages and several 'unofficial' ones, wears a black pajama suit, with Miss Hubert's favorite blue for blouse and sash. A bluish-gray negligee is tightly shirred up the front and worn with matching cape appliqued with velvet bows, and black picture gown has an enormous white flower at the low neckline.

Miss Oberon spends most of the first scenes clad blazer-striped pajamas, which fit very well in view of the fact that they supposedly belong to Mr. Olivier. However, she it to be congratulated for not getting too cute for words the moment she dons men's pajamas. going kittenish in such situations being an unwritten law of screen heroines.

Morton Selten as Miss Oberon's grandfather and Gertrude Musgrove as Miss Barnes' maid hold up their ends of a fragile tale.

**The Heather and the Dummy at M. H.**

Perhaps any ventriloquist suffers now, in comparison with Edgar Bergen, but Bob Neller points a contrast by approaching Bergen as nearly as possible in tone and style—but, unfortunately, not with material. Mr. Neller may be an excellent technician, but his timing and his gags are nothing for Charlie McCarthy to weep sawdust tears over.

A departure for the Music Hall Symphony is an on-stage piano, played by Henrietta Schumann. Miss Schumann wears black pailette embroidered net over black taffeta for her stage appearance.

The ballet gives an effect of candy box prettiness, with half the girls in white satin harlequin costumes and half in tiny ruffled white skirts under fitted blue satin jackets.

Scottish influence takes over the rest of the show, with the Glee Club being the 'Black Watch' and the ballet in red plaid kilts for a dainty highland fling. The Rockettes snap up the heather effect with a fast tap routine, wearing yellow plaid puff sleeved basques and the briefest of black trunks, with Scotch caps and music to carry out the general idea.

**'Gaiety Girls' Not Gay**

The British-made 'Gaiety Girls' is a poor second company of the average musical film, American-made. It can't be just because the plot has snowy hirsute adornment, although it's No. 97 about the chorus girl, elevated to stardom, who makes terrific hit with indifferent material, and young millionaire angel supplies romance. Nearly all musicals use that formula, with or without variations, and some manage to be entertaining. Of course, funny situations and comedians are a help to a musical comedy—a little matter that Alexander Korda apparently overlooked in presenting 'Gaiety Girls.'

Jack Hulbert, Patricia Ellis' monied romance, is decidedly a type—but not the hero type. He works very hard at being young, effervescent and impulsive, but he falls far short of cinema heart-throb standards, in spite of an obviously supplemented hairline.

Scene is laid in Paris, and everyone is very Piccadilly and Bond street, except Miss Ellis. This influence extends also to wardrobe. All other femme members of the cast incline to sensible 'tweedy' walking shoes even with their dressier street frocks. Miss Ellis makes her first appearance in a black crepe street dress with sequin bolero effect and front panel—and outrages Hollywood tradition by wearing the same frock later on in the picture. She wears bouffant, beruffled and sequin embroidered white sheer for her stage appearance. Her one evening outfit is black, cut low with sequin shoulder straps and a flowing sheer cape collared in sequins. Headdress is a tiny evening cap under large circular veil.

Arthur Riscoe, who bears a resemblance to Bert Lahr, does what he can with comedy as a shoestring producer, but doing the same thing over and over again must have become tiresome—even to Mr. Riscoe.

**From Newsstand to Penthouse**

Lew Ayres shows how to skyrocket from a newsstand to a penthouse in 10 easy lessons and a few short weeks, in 'King of the Newsboys.' Helen Mack, who looks far too serious-minded for such didoes, packs her bag and skips out with the first monied man with a 'you look good to me, baby' glint in his eye. Miss Mack seems much more of a 'sir-how-dare-you' sort, but she is kept moving back and forth until she winds up in our hero's arms and, presumably, his penthouse.

The wardrobe for Miss Mack and her very social rival, Sheila Bromley, appears to have been supplied by a bargain basement, without too much care in selection. Miss Mack, poor, is at least unobtrusively neat. Wealth brings more but not better clothes. An ensemble of dark dress, print cape, large hat and floating scarf makes her look as though she had dressed in a high wind. Miss Bromley fares no better, sartorially speaking, except for a riding habit of jodhpurs with lumberjack shirt.

One authentic note taken from life when the seemingly indomitable Ayres tries to chisel in on an established racing tip sheet, and gets thoroughly flattened for his trouble.

Alison Skipworth, as always, comes through with a solid performance. Victor Varconi villains and Horace MacMahon heads convincing gang of wotta-pan bruisers.

# PRODUCER-ACTOR PARLEYS

## Films' Cue from FCC and AT&T

Passive attitude of many film executives to the peril of legislative interference with operation of the picture business, received a jolt last week following issuance by the Federal Communications Commission of the report and recommendations for more intensive government control of the American Telephone & Telegraph Co., after an investigation extending more than three years.

Fact that the Government, through FCC, spent $1,000,000 in conducting its investigation, and that the AT&T spent twice as much in cooperating with the Commission's agents and accountants, is indicative of the financial burden an examination of a major industry entails. Telephone company is said not to have squawked at the size of the bill, but is peeved over the refusal of Government's investigators to permit the company's attorneys to cross-examine witnesses. Company also burns at the FCC ruling prohibiting the inclusion of reply briefs on the various points in the final report.

Rank and file in the film industry always has regarded threatened tax and censorship legislation as something remote from the day's job. Responsibility for combating the various state and Federal bills aimed at the picture business has been passed along to the Hays office as a matter of routine. Some hundreds of anti-industry legislative bills and measures have been killed at state capitals and Washington in the past 10 years.

Heretofore, films and other industries have surrounded their legislative protective programs with a good deal of mystery. However effective such methods have been in the past, industry generally is recognizing the potency of battling legislation in the open, depending on public support, when deserved.

Lobbying has become a very necessary function of industry in recent years when every Governmental agency is seeking new fields of tax revenue, or striving to adopt laws to further employment.

Far better that industry should be over-zealous in protecting itself against impractical laws than that it should rest its case on the fair-mindedness of law-makers. A derogatory bill, once passed, is a men-, and not easily repealed.

In marshaling public opposition to the Neely bill, now before the U. S. Senate, the film industry is acting within its proper rights.

Legislators should learn that the film industry at all times is capable of using its own screens in defense of its liberties.

## Analysis of Show Biz's Payments To Erpi; $5,526,000 in '30, Tops

Washington, April 5.

Relaxation of the compulsory service requirements which Electrical Research Products, Inc., used to impose on exhibitors has materially lightened the load which theatre owners must pay for sound reproducing apparatus manufactured by Western Electric.

Sharp drop in Erpi income from maintenance contracts was revealed in figures which the Federal Communications Commission published Friday (1) in reporting results of two-year probe of the telephone monopoly. Bulky report also gave details of how much the film business has been forced to pay under the Bell organization's policy of leading sound apparatus.

From the advent of sound through the first half of 1936, Erpi pocketed $32,713,692 in service charges. Profit was over $4,000,000, better than 12%.

Lush days were 1930 and 1932, from standpoint of biggest profits, but the yearly average revenue per theatre per week dropped steadily since the 1928 top of $40.34. Biggest gross was $5,526,000 in 1930, year when the gravy also set a record of $1,103,000. Next largest profit was $1,062,000 1932 on a gross of $4,833,000.

As a result of modified policies which became effective in 1935, both the gross and the net slid materially. It dropped from $4,240,000 in 1934 to $3,011,592 in 1935 and $1,190,100 in first six months of 1936. Last profitable year was 1934, when Erpi pocketed $356,000. In the next year the operations resulted in loss of $249,620, and first half of 1936 saw a deficit, before interest and reserve requirements had been deducted, of $129,700.

The yearly average income translated into a weekly figure skidded to $5 per wired house in the first half of 1936, when 4,571 installations were being maintained. Compares with $25.80 in the company's most profitable year and $12.22 for 1935.

Repair and replacement business showed a loss for three of the six years studied by FCC accountants. Gross in 1930 was $1,627,000, but in 1931 it was off to $857,000 and in 1932 skidded to $293,000. Deficit for the latter year was $60,000, or 20.5% of the take. Following inauguration of new policies in 1933, Erpi was able to reduce its loss from $144,000 in 1933 to $12,000 in 1934, and make a profit of $83,000 in 1935.

## S.E.C.'s Ruling on L. A.'s Listing of Pix Stocks

Washington, April 5.

Unlisted trading privileges on Los Angeles Stock Exchange were extended Friday (1) to Paramount common but temporarily withheld for 20th Century-Fox paper.

Because of wide holdings in Southern California, Securities & Exchange Commission held the public would benefit, especially in view of time difference between coasts, if barter were permitted. Par paper already listed on the New York Board, as is 20th-Fox. Action allows Angelenos to take advantage of 2½ hour clock lag on days of lively market in the east.

Ruling on 20th-Fox was held up through failure of L. A. 'Change officials to submit enough info for the S. E. C. to decide whether public convenience requires extension of privileges. Final yes or no will be given when producing company tells how much of its paper is held by Southern Californians.

Statistics showed 1,768 persons hold unspecified amount of Par $1 tickets and that trading in year ended October, 1936, amounted to 41,845 shares. This is 2% of the volume swapping hands in New York. No dope given on 20th-Fox holdings in Hollywood area, but L. A. market transactions involved 60,421 shares, or 12% of the amount dealt in on the New York market.

## Rooney Double Steps

Hollywood, April 5.

Mickey Rooney has been cast in one of the top spots, along with Maureen O'Sullivan, Dennis O'Keefe and Frank Albertson, in Metro's 'Hold That Kiss.'

Shooting schedules are being switched so young Rooney can share the assignment along with his role in 'Lord Jeff,' in which he is working with Freddie Bartholomew.

## MOVE TO AMEND STUDIO PACTS

### Negotiations Start This Week—Actors' Reps All Set, but Major Producers Await Indie Studios' Acquiescence

### RECLASSIFICATION

Hollywood, April 5.

Negotiations between producers and Screen Actors Guild on amendments to present Guild shop contracts get under way this week, with Robert Montgomery, SAG president, directing parley for the actors. The film companies have tentatively selected their negotiators, but are waiting for independent producers to okay committee personnel. Other actor negotiators are Kenneth Thomson, executive secretary of the Guild, Franchot Tone, Murray Kinnell and Aubrey Blair.

No separate huddle will be held with the indies as major studio executives have agreed to represent 70 producers who have minimum basic wage agreements with the Guild. Any amendments adopted by the negotiators automatically will become binding on all signatories to Guild contracts.

Guild tops will center demand on improved working conditions for bit players and freelance and contract actors. While no flat demand for wage tilts will be made, the Guild will try to reclassify certain extra brackets which would give players a higher pay scale.

SAG has already asked that extras who receive $13.75 call and are instructed to bring dress clothes on chance they might be used, be paid dress scale of $16.50. Certain studios admit players may be entitled to some bonus but object to paying full dress scale unless the extra is actually used in latter classification. Extras are clamoring for higher pay and more work, but Guild leaders realize time is not opportune to press for pay tilts.

### Varying Scale for Extras

Extras now have five pay scales in addition to the $6.50 rate for stand-ins. First check of $5.50 is largely for atmosphere players and crowd scenes. Regular extra is paid $8.25, rate having been upped from $7.50 when Guild contracts became effective June 1, 1937. Special types, used for military leaders, detectives, waiters, gangsters, etc., receive $11. Special types who furnish their own uniforms are paid $13.75. Dress extra scale is $16.50. Extras who have a speaking line are paid $25 day, but latter are now classed as bit players rather than extras.

Producer signatories to Guild contracts in alphabetical order are: Adventure Serials of California, Associated Feature, Inc., Audio Productions, Inc., Boots & Saddles Pictures, Inc., Jed Buell Productions, Inc., C. C. Burr Productions, Cantabria Films, Inc., Caravel Films, Inc., Trem Carr, Inc., Castle Films, Cine Grand Films, Inc., Colonial Films, Colony Pictures, Inc., Columbia Pictures Corp.

Concord Productions, Coronet Pictures, Inc., Crescent Pictures Corp., Dale Productions, Inc., Darmour, Inc., Arthur Dreifuss, Educational Productions, Inc., William J. Ganz Co., Globe Pictures Corp., Samuel Goldwyn, Ltd., Grand National Studios, Inc., International Film Corporation, Jam Handy Picture Service, Inc., Jewel Productions Co., Keller-Dorian Colorfilm Corp., Willis Kent, Kings Picture Corp., Stan Laurel Productions, Inc., Eddi LeBaron Productions, Inc.

Mervyn LeRoy Productions, Harold Lloyd Productions, David L. Loew Productions, Inc., Melltone Productions, Inc., Metro-Goldwyn-Mayer Corp., Million Dollar Productions, Monogram Productions, Inc., Paramount Pictures Corp., Pathe News, Inc., Peerless Pictures, Inc., Pennant Picture Corp., Principal Productions, Inc., Progres Pic-

(Continued on page 53)

## Fed'l Communications Commission Reviews AT&T-Bell-Erpi Combine's Toe-Hold on Entire Film Business

Washington, April 5.

Ban against American Telephone & Telegraph Co. sion of th sound picture field is suggested in the proposed report of the Federal Communications Commission regulatory problems presented by the Bell System's monopoly voice communication.

In the tentative conclusions growing out of Government's $1,500,000 two-year-long inquiry, Congress was advised to enact legislation forcing the telephone organization, which controls overwhelming preponderance of the business, to withdraw from non-communication fields. Necessary to protect the public interest in general and telephone subscribers in particular.

Lengthy review of the A.T.&T.' expeditions into the film business noted the liberalized licensing policies which are among the general concrete achievements of the FCC's prolonged study but emphasized the dependence of both producers and distributors upon the Bell family. Probers remarked far-sighted scheme—never carried through—by which telephone bosses once expected to control the entire industry.

### Would Ease 'Em Out of Pix

Chief recommendation of the investigating unit was enactment of legislation which would result compulsory patent licensing and would prevent the telephone outfit from engaging in any field not directly identified with the communications business. This would mean the end of Western Electric and Electrical Research Products, Inc. toehold on both Hollywood and Main Street, along with lower prices for equipment and eradication of generally burdensome policies.

Telephone company made improper use of discoveries growing out of research designed either to improve voice communication or to prevent competitive systems from emerging, report suggests. Particularly in the pictur business. At one time, A.T.&T. thought about stifling all competition by buying out Radi Corp. of America and thus removing all competition.

In surveying the Bell outfit's research excursions and patent holdings, the FCC students remarked that the system obtained exclusive licenses for sound-recording apparatus, electrical phonographs, and exhibition equipment through the cross-licensing agreement negotiated in 1926 with the various competing manufacturers of electrical goods. On Jan. 1, 1935, the Bell organization owned 16.9% of the outstanding patents on sound recording and reproducing apparatus, but 49.6% of its holdings were unused. Were 4,866 valid patents, with 321 in Bell's hands.

### Erpi's Expansion

Erpi is the prime example of the way the telephone monopoly has taken fliers into unrelated fields and made use of the power and cash gained from unchallenged position communications to dominate other lines of business, report summarized. Activities result primarily from technical and scientific research directed toward the communications art which has resulted in development of patents and methods which can be used in many non-utility situations. Cross-licensing also entrenched the Bell group, although competition was provided when RCA received right to use Bell inventions and discoveries.

'From its earliest days the Bell System has attempted to acquire and maintain its position of exclusive control over the field of wire telephony,' Congres [illegible] told. 'This objective has been supported by the Bell System's patent and research policies, and has been strengthened by its commercial [illegible] of other fields of commercial activity adjacent to its essential service but lying within the sphere of other industries and [illegible].

'Its research and patent activitie

(Continued on page 19)

## Crax by Max

Hollywood, April 5.

Maxie Rosenbloom, thesp-smitten pug, is achieving fame of sort through his classic crack and film demeanor. A past master at muffing lines in his pictures, blow-ups are now called 'Rosenbloomers.'

It was Slapsy Maxie who quipped at the opening of his cocktailery, 'I'm puttin' a 15c cover charge to keep out the riff-raff.'

## Educators Favor Courses in Motion Picture Appreciation

Philadelphia, April 5.

Courses in film appreciation as a cure for kids playing hookey and drug store cowboying were urged here last Friday at 25th annual Schoolmen's conferences at the University of Pennsylvani 'Give Johnny chance to cry; action, camera, lights,' declared Margaret Lehmann, of Doylestown High School, speaking at a session on motion pictures in education, 'and he will be better occupied than in studying musty Latin and history.

'School courses in film appreciation would coax students from drug store cowboy activities and from playing hookey.'

Films are at once the most significant and yet the most neglected forces in educating kids, stated Edgar Dale, of Ohio State University. 'Newspapers and radio are other important educational media. The three have more influence upon children than any contacts in the school curriculum. Students know Wimpy, Don Ameche, Robert Taylor and Lou Gehrig, but amazingly large numbers of high school students have no idea what Fascism is; don't know what the initials TVA stand for; have never heard of Hitler's book, 'Mein Kampf' and cannot place Geneva.'

Though educators apparently all set to go ahead with plan for setting up film library for national handling of educational pictures, action by film companies in approving the setup has been indefinitely postponed. Too many pressing economic matters are up for consideration for most picture executives to mull the visual-education situation.

For the film library idea to go ahead, approval for printing and release of appraised and approved educational subjects from dated shorts must first be given. Hays office, in the meantime, is keeping in active touch with the situation.

## Line of Mothers Forming

Hollywood, April 5.

Paramount is seeking a moppet for the title role in 'Little Orphan Annie, Detective,' which will be filmed from a story by Sam Ornitz, based on Harold Gray's newspaper strip.

Picture will go before the cameras in May.

## The Indian Sign—O.K.

Hollywood, April 5.

Darryl Zanuck has been advised that the Indian angles in Louis Bromfield's 'The Rains Will Come,' to be ade by 20th-Fox, have been approved by Col. Dumby, in charge of the Indian office in London, thus dissipating any fears of an English embargo on the film.

Studio paid $52,500 for the picture rights.

## Bad Pix, Good Weather Combine To Smack L.A. Trade; 'Hearts' Slim 17G, 'Condemned'-'Cheering' Dual $10,100

Los Angeles, April 5.

Slim pickings for most of the first runs currently, grosses being at lowest ebb in months. Couple of holdovers, 'Jezebel' and 'Bluebeard's Eighth Wife,' are doing okay on the second stanza, but new arrivals and moveovers are not faring so hot.

State-Chinese have another brutal week in store, while the day-date Pantages and RKO are doing even less at the wicket. Principal answer is product, plus a siege of unusually fine weather which is dragging the public to the beaches and the open road.

**Estimates for This Week**

**Carthay Circle** (Fox) (1,518; 55-83-1.10-1.65) — 'Snow White' (RKO) (15th week). Bi starting to taper and will probably call it quits right after Easter. Fourteenth week brought profitable $7,000, with current week running about a grand behind.

**Chinese** (Grauman-Fox) (2,024; 30-40-55-75)—'Human Hearts' (MG) and 'First 100 Years' (MG) dual. Doing better here proportionately than at its day-dater (State) but best sight looks like around $8,500, just fair. Last week, 'Tom Sawyer' (UA) and 'No Time to Marry' (Col) bettered expectations but not too hot at $8,700.

**Downtown** (WB) (1,800; 30-40-55-65)—'Jezebel' (WB) and 'Blondes at Work' (WB) dual (2nd week). Following smash opening week, Bette Davis opus heading for another very profitable $9,000 stanza. First week ended with big $13,600.

**Hollywood** (WB) (2,756; 30-40-55-65)—'Jezebel' (WB) and 'Blondes' (WB) dual (2nd week). More suited to Hollywood mob than at the Downtown, where it is day-dating, so will wind up with another big $9,000 on second stanza, after smash $15,200 first seven days.

**Orpheum** (Bdwy.) (2,280; 25-30-35-40)—'Quick Money' (RKO) and 'Sergeant Murphy' (WB) dual and vaudeville. Very little in sight here this week so will have to be satisfied with slim $7,200. Last week, 'Rawhide' (20th) and 'Double Danger' (RKO) fared little better at $7,500.

**Pantages** (Pan) (2,812; 30-40-55)—'Condemned Women' (RKO) and 'Start Cheering' (Col) dual. Just a little drop in trade for this brace with dismal $5,100 dragged in after house went heavy on previews to bolster. Last week, third of 'Mad About Music' (U) with 'Lone Wolf In Paris' (Col.), okay for $5,700.

**Paramount** (Partmar) (3,595; 30-40-55)—'Bluebeard' (Par) and stage show (2nd wk). Heading for substantial $13,500 on holdover stanza after cracking $19,000 initial week. Goes third week.

**RKO** (2,872; 30-40-55) — 'Condemned Women' (RKO) and 'Start Cheering' (Col) dual. Just a dodo and even with aid of flock of previews will be lucky to hit $5,000. Last week, 'Mad About Music' (U) with 'Lone Wolf' (Col) (3rd week) neat $5,200.

**State** (Loew-Fox) (2,414; 30-40-55-75)—'Human Hearts' (MG) and '100 Years' (MG) dual. For second week in a row will hit below the 10G figure for $8,500, lowest in two years. Last week, 'Sawyer' (UA) and 'No Time to Marry' (Col), pretty weak at $9,700.

**United Artists** (Fox-UA) (2,100; 30-40-55)—'Sawyer' (UA) and 'No Time to Marry' (Col) dual. No better on move-over, poor $2,900. Last week, 'Girl of Golden West' (MG) and 'Walking Down Broadway' (20th), very good $4,000.

**Wilshire** (Fox) (2,296; 30-40-55-65) —'Sawyer' (UA) and 'No Time' (Col) dual. Just so-so on move-over for continued first run with $4,200 not so good. Last week, 'Golden West' (MG) and 'Walking Down Broadway' (20th), fair $5,100.

## 'OLD CHI' BURNING UP INDPLS., HOT $15,500

Indianapolis, April 5.

'In Old Chicago' is setting the town on fire at the Indiana. Topping all recent figures, including those set by 'Snow White' not long ago at the same house. Withering in the face of this business are the other houses with 'First 100 Years' at Loew's, 'Hawaii Calls' at the Circle, and Vince Barnett the stage plus 'Island in the Sky' at the vaudfilm Lyric.

**Estimates for This Week**

**Apollo** (Katz-Dolle) (1,100; 25-30-40)—'Bluebeard' (Par) and 'Dangerous to Know' (Par). Moved over from Indiana for second week and take is very mild at $2,200. Last week, 'Mad About Music' (U) and 'Black Doll' (U) finished its holdover session with a puny $1,500.

**Circle** (Katz-Dolle) (2,800; 25-30-40)—'Hawaii Calls' (RKO) and 'Bulldog Drummond's Perils' (Par). Slowest week for a long time at $3,500. Last week, 'Jezebel' (WB) and 'He Couldn't Say No' (WB), just moderate at $5,000.

**Indiana** (Katz-Dolle) (3,100; 25-30-40)—'In Old Chicago' (20th). Pace promises to hit gross of $15,500, smashing. Last week, 'Bluebeard' (Par) and 'Dangerous to Know' (Par), okay at $7,500.

**Loew's** (Loew's) (2,400; 25-30-40)—'First 100 Years' (MG) and 'Little Miss Roughneck' (Col). Indications point to a gross of $5,000, lightweight. Last week, 'Girl of Golden West' (MG) and 'Gail Preston' (Col), very good at $9,000.

**Lyric** (Olson) (2,000; 25-30-40)—'Island in the Sky' (20th) and Vince Barnett on stage in 'Calling All Stars' unit. Biz bad at $6,500. Last week, 'Love, Honor and Behave' (WB) and vaude fairly good at $8,000.

## 'BLUEBEARD' 21G, BEST IN WASH.

Washington, April 5.

Every major screen in town decorated with a comedy this week, five newcomers and one repeat, 'Bluebeard's Eighth Wife' and 'Girl of the Golden West' are battling neck-and-neck for the lead position.

**Estimates for This Week**

**Capitol** (Loew) (3,424; 25-35-40-66) —'First 100 Years' (MG) and vaude. Clyde McCoy topping pop stage bill; combo won't get over $17,500, light. Last week, 'Rebecca of Sunnybrook Farm' (20th) oke $20,000.

**Columbia** (Loew) (1,583; 25-40)—'Merrily We Live' (MG) (2d run). Fair $3,800. Last week, 'Happy Landing' (20th) (2d run) same figure.

**Earle** (WB) (2,244; 25-35-40-66)—'Bluebeard' (Par) and vaude. Should lead town with big $21,000. Last week, 'Jezebel' (WB) mounted steadily to finish with $21,000.

**Keith's** (1,830; 35-55) — 'Bringing Up Baby' (RKO). Shooting for big $13,000. Last week, 'Snow White' (RKO) (7th week) spurted at finish to bow out of record run with $9,000.

**Met** (WB) (1,853; 25-40) — 'Kid Comes Back' (WB). Looks like good $4,600. Last week, 'Slight Case of Murder' (WB) (2d run) same figure.

**Palace** (Loew) (2,363; 35-55)—'Girl of the Golden West' (MG). Packing 'em toward sock $20,000. Last week, 'Goldwyn Follies' (UA) (2d week) fell off to disappointing $7,500.

## 'CHI' ABLAZE $14,500; REST OF L'VILLE COOL

Louisville, April 5.

Hefty grosses are absent at all the downtown spots, with the exception of the Rialto, where most of the b. o. trade seems to be concentrated currently. Only new product is at Loew's State, Rialto, and Strand, with the double features not much opposish to 'Chicago.' Holdovers at the Mary Anderson and Brown getting about normal play.

**Estimates for This Week**

**Brown** (Fourth Ave.-Loew's) (1,400; 15-30-40) — 'Bluebeard's Wife' (Par) and 'Bulldog Drummond's Peril' (Par). Okay at $2,800. Last week, 'Snow White' (RKO), fourth downtown week, fair $2,400.

**Kentucky** (Switow) (900; 15-20)—'Buccaneer' (Par) and 'Beau Hunks' (M-G). Summer policy and prices, will put crimp in take, and reduce average to about $1,900. Last week 'Hollywood Hotel' (WB) and 'No Time to Marry' (Col), dual, split with 'Tarzan's Revenge' (20th) and 'Murder in Greenwich Village' (Col), fair $1,800.

**Loew's State** (3,000; 15-30-40)—'First 100 Years' (M-G) and 'Wide Open Faces' (Col), dual. Little better than average $5,500 in prospect. Last week 'Girl of Golden West' (M-G) and 'Who Killed Gail Preston' (Col), fine $8,500.

**Mary Anderson** (Libson) (1,000; 15-30-40)—'Jezebel' (WB). Steady and strong $3,500 after first week's voluminous $6,500.

**Ohio** (Settos) (900; 15)—'Ready, Willing and Able' (WB) and 'Green Light' (WB), dual, split with 'We Have Our Moments' (U) and 'Public Wedding' (WB), dual. Average $1,300. Last week 'Exclusive' (Par) and 'Road Gang' (WB), dual, split with 'Top of the Town' (U) and 'Midnight Madonna' (Par), dual, normal $1,300.

**Rialto** (Fourth Ave.) (3,000; 15-30-40)—'In Old Chicago' (20th). House romping along to take which will crowd 'Snow White' on first week. Tremendous $14,500 is in prospect. Last week 'Bluebeard' (Par) and 'Bulldog Drummond's Peril' (Par), plenty profitable at $9,000.

**Strand** (Fourth Ave.) (1,400; 15-30-40)—'Hawaii Calls' (RKO) and 'Maid's Night Out' (RKO). Headed for okay $3,800. Last week 'Mad About Music' (U) and 'Midnight Intruder' (U), on second stanza, rounded up light $3,200.

### First Runs on Broadway

**Week of April 7**

**Astor**—'The Call' (Best) (2d wk).

**Capitol**—'Judge Hardy's Children' (MG).

**Criterion** — 'Hollywood Stadium Mystery' (Rep) (8).
*(Reviewed in* VARIETY, *March 3)*

**Globe**—'Rawhide' (20th) (9).
*(Reviewed in Current* VARIETY*)*

**Music Hall**—'Adventures of Marco Polo' (UA).
*(Reviewed in* VARIETY, *Feb. 16)*

**Paramount**—'Bluebeard's Eighth Wife' (Par) (3d wk).

**Rialto**—'Dracula' (U) (Reissue).

**Rivoli**—'Gaiety Girls' (UA) (2d wk).

**Roxy**—'In Old Chicago' (20th) (8).
*(Reviewed in* VARIETY, *Jan. 5)*

**Strand** — 'Women Are Like That' (WB) (9).

**Week of April 14**

**Astor**—'The Call' (Best) (3d wk).

**Capitol**—'Judge Hardy's Children' (MG) (2d wk).

**Criterion** — 'Sailing Along' (GB).

**Music Hall**—'Adventures of Marco Polo' (UA).

**Paramount**—'Her Jungle Love' (Par) (13).

**Rivoli**—'Return of Scarlet Pimpernel' (UA) (9).
*(Reviewed in* VARIETY *Nov. 3, 1937)*

**Roxy**—'In Old Chicago' (20th) (2d wk).

**Strand** — 'Women Are Like That' (WB) (2d wk).

## 'Merrily'-'Big Town Girl' At $7,800 Lead Omaha

Omaha, April 5.

Currently biz hitting healthier stride at Omaha and Brandeis, both of which encountered slackened pace last week. Weather, which 10 days ago had natives in shirtsleeves, took turn downward and nearer winter than spring temperatures. Lent taking some toll this year in contrast to last year, when managers failed to note any appreciable falling off.

**Estimates for This Week**

**Brandeis** (Singer-RKO) (1,250; 10-25-35-40) — 'Slight Case of Murder' (WB) and 'Little Miss Roughneck' (Col), with March of Time added. Gliding along to $4,500, satisfactory. Last week, 'Bringing Up Baby' (RKO) and 'Night Spot' (RKO) also dualled; $4,000, slightly under expectation.

**Dundee** (Goldberg) (650; 10-25) — 'Man Proof' (MG) and '100 Men and a Girl' (U) dualled first half week. 'Mannequin' (MG) and 'Manhattan Merry - Go - Round' (Rep) double-billed second four days. Okay $700. Last week, split between 'True Confession' (Par) and 'Lancer Spy' (20th), and 'Brimstone' (MG) and 'Love and Hisses' (20th), fair $650.

**Avenue-Military** (Goldberg) (810; 950; 10-25)—'Man Proof' (MG) and 'I'll Take Romance' (Col) first half week, doubled; second half, 'Mannequin' (MG) and 'Manhattan Merry-Go-Round' (Rep), $1,400, fair enough. Last week, split between 'True Confession' (Par) and 'Lancer Spy' (20th) first half and 'Bad Man of Brimstone' (MG) and 'Love and Hisses' (20th) second half, $1,500 total on these, okay.

**Omaha** (Blank) (2,100; 10-25-40) — 'Girl of Golden West' (MG) and 'Blondes at Work' (WB), twinned. Fairish biz, but off from previous singing duo's films; $7,500, average. Last week, 'Bluebeard' (Par) and 'Bulldog Drummond's Revenge' (Par) doubled, shortest figure in months, $6,250.

**Orpheum** (Blank) (2,976; 10-25-40) —'Merrily We Live' (MG) and 'Big Town Girl' (20th) in duo. Best of current attracters at $7,800. Last week, 'In Old Chicago' (20th) and 'Paradise for Three' (MG) in double harness; record of $15,500 hung up.

## Bette Davis $12,000, 'Murder' $8,500, Buffalo

Buffalo, April 5.

Takings are showing signs of brutal weakness here currently, with only the Buffalo and the Lakes giving any signs of life and even these scaling down under recent figures.

**Estimates for This Week**

**Buffalo** (Shea) (3,500; 35-40-60)—'Jezebel' (WB). Slowing up and looks probably good for only fair $12,000. Last week, 'Bluebeard' (Par), all right with $13,200.

**Century** (Shea) (3,000; 25-35)—'Slight Case of Murder' (WB) and 'Walking Down Broadway' (20th). Indications for fine $8,500. Last week, 'Dangerous to Know' (Par) and 'Daredevil Drivers' (WB), dropped to bad $6,400.

**Great Lakes** (Shea) (3,000; 35-55) —'Chicago' (20th) (2d week). Continued good showing for probably $10,000. Last week, same pic great at $18,400.

**Hipp** (Shea) (2,100; 35-50)—'First 100 Years' (MG) and 'Daughter of Shanghai' (Par). Looks for only about $5,000, mild. Last week, 'Gold Is Where You Find It' (WB) and 'Love Is a Headache' (MG), worst gross in months, $4,000.

**Lafayette** (Ind.) (3,300; 25-35)—'Wide Open Faces' (Col) and 'Game that Kills' (Col). Back to normal or under, probably around $5,500. Last week, 'Mad About Music' (U) and 'State Police' (U); 'Music' still showed strength in third week at good $8,000.

## DURBIN $23,000 TOPPING HUB

Boston, April 5.

'Jezebel,' dual bill, and 'Mad About Music,' with stage show, are topping the town. 'Tom Sawyer' on double bill at Orph and State is satisfactory but not big. 'Walking Down Broadway,' with stage show is fair.

**Estimates for This Week**

**Boston** (RKO) (3,212; 25-35-40-55) —'Walking Down Broadway' (20th) and 'Stepping Toes' unit on stage. Showing fair strength, $10,500. Last week, 'Snow White' (RKO) (7th week) and stage show, pleased with $14,500.

**Fenway** (M&P) (1,382; 25-35-40-55) —'Over the Wall' (WB) and 'Arsene Lupin Returns' (MG), dual. Fair $5,500 indicated. Last week, dandy $7,300 for 'First 100 Years' (MG) (1st run) and 'Slight Case Murder' (WB) (2d run), double.

**Keith Memorial** (RKO) (2,907; 35-50-65)—'Mad About Music' (U) with stage show, starring Jane Pickens. Reaping nice money, about $23,000. Last week, 'Rebecca of Sunnybrook Farm' (20th) and Bill Robinson on stage (both h.o.), excellent $24,000.

**Metropolitan** (M&P) (4,267; 25-35-40-55)—'Jezebel' (WB) and 'Love on a Budget' (20th), dual. Looks like good $18,000 for this combo. Last week, 'Bluebeard' (Par) and 'Mr. Moto's Gamble' (20th), double, was best since stageshows were dropped, $22,500 (nine days). Despite rumors of stage shows returning here next season, or earlier, present policy is satisfactory at this pace.

**Orpheum** (Loew) (2,900; 25-35-40-55)—'Tom Sawyer' (UA) and 'Start Cheering' (Col), dual. Adequate $13,500 promised here. Last week, holdover of 'Yank at Oxford' (MG) and 'Little Miss Roughneck' (Col), double, okay $12,000.

**Paramount** (M&P) (1,797; 25-35-40-55)—'Over the Wall' (WB) and 'Arsene Lupin Returns' (MG), dual. Fair $7,500. Last week, 'First 100 Years' (MG) (1st run) and 'Slight Case of Murder' (WB) (2d run), dual, very good $10,700.

**Scollay** (M&P) (2,538; 25-35-40-50) —'Slight Case of Murder' (WB) (3d run) and 'First 100 Years' (MG) (2d run), dual. Very good $7,500 on the way. Last week, 'Sally, Irene and Mary' (20th) (3d run) and 'Daredevil Drivers' (WB) (1st run), double, good $6,700.

**State** (Loew) (3,600; 25-35-40-55)—'Tom Sawyer' (UA) and 'Start Cheering' (Col), dual. Satisfactory $10,000 pace. Last week, 'Yank at Oxford' (MG) and 'Little Miss Roughneck' (Col) (holdovers), dual, medium $8,500.

## 'Jezebel' Sock $21,000. 'Follies' $18,000, B'klyn

Brooklyn, April 5.

Brisk trade at the downtown deluxers, with Fabian Paramount planning to hold 'Jezebel' a second week. Loew's Met, with 'Goldwyn Follies,' is also getting a nice reception.

**Estimates for This Week**

**Albee** (3,274; 25-50)—'Radio City Revels' (RKO) and 'Walking Down Broadway' (20th). Will do nice $15,500. Last week, 'Sally, Irene and Mary' (20th), 'Love on Budget' (20th), got okay $17,000.

**Fox** (4,089; 25-40)—'Penitentiary' (Col) and 'Romance in the Dark' (Par). Will do okay $15,000. Last week, 'Dangerous to Know' (Par) and 'Love, Honor and Behave' (WB), did fair $13,500.

**Met** (3,618; 25-50) — 'Goldwyn Follies' (UA) and 'Squadron of Honor' (Col). Expects swell $18,000. Last week, 'Adventures of Tom Sawyer' (UA) and 'Arsene Lupin Returns' (MG), healthy $17,000.

**Paramount** (4,126; 25-50)—'Jezebel' (WB) and 'He Couldn't Say No' (WB). Will pull in $21,000, good, and hold over. Last week, 'Big Broadcast' (Par) and 'Mayerling,' okay $16,000.

**Strand** (2,870; 25-40) — 'Bulldog Drummond's Peril' (Par) and 'When G-Men Step In' (Col) and weekend vaude, featuring Jay C. Flippen. Nice $8,000. Last week, 'Night Spot' (RKO) and 'Sales Lady' (Mono), plus vaude, oke $8,500.

## Philly Defies Lent; 'Jezebel' 23G, 'Hawaii'-Vaude 25G, 'Hardy' $12,500

Philadelphia, April 5.

Lineup of powerful product in both initial and continued-run houses pushing b.o.s this sesh to fanciest all-around figgers since New Years. Cool weekend weather helped considerably, too.

**Estimates for This Week**

**Aldine** (WB) (1,303; 42-57-75)—'Divorce of Lady X' (UA) (2d week). Very bad $6,100. Last week, same pic $9,200. 'Gaiety Girls' (UA) comes in Thursday (7).

**Boyd** (WB) (2,350; 42-57-68-75)—'Judge Hardy's Children' (MG). Sad $12,500 for the week. Last sesh, 'Girl of the Golden West' (MG) good at $13,400 for its second sprint. 'Mad About Music' (U) due Thursday (7).

**Earle** (WB) (2,758; 25-37-42-57-68) —'Hawaii Calls' (RKO), Ben Blue, Jackie Cooper and Lucy Monroe providing flesh marquee hypo. Dishing up pleasant surprise with $25,000. Last week, 'Dangerous to Know' (Par) and Don Bestor and Clyde McCoy orchs in 'Battle of Music' on stage, also good at $22,450.

**Erlanger** (Boyd) (1,859; 57-86-$1.14-$1.71)—'In Old Chicago' (20th) (8th week). Winds up this week after interminably dragged-out run; after third week house piled with paper and in final sessions not even that.

**Fox** (WB) (2,423; 42-57-68-75)—'Bluebeard' (Par) (2d week). Heavy score of $17,600 indicated this sesh; looks set for another. Opened at powerful $21,400.

**Karlton** (WB) (1,066; 42-57-68)—'First 100 Years' (MG) (2d run). Heading into lush fields with nice $5,200 for seven days. Last week, change of policy put in 'Westland Case' (U) on first-run in this usual second-lap house; floparooed and pulled in four days with $1,950.

**Keith's** (WB) (1,870; 42-57-68)—'Snow White' (RKO) (2d run). Getting swell $11,000. Last week, 'Tom Sawyer' (UA), just so-so at $4,800.

**Stanley** (WB) (2,916; 42-57-68-75) —'Jezebel' (WB). Certain for another lap at splendid $23,000. Last week, 'Snow White' (RKO) got $14,900 for end of run of four weeks and one day.

**Stanton** (WB) (1,457; 37-42-57)—'Over the Wall' (WB). Another click with $5,800. Last week, 'Walking Down Broadway' (20th) n.s.g. at $4,800. 'Tip-off Girls' comes in Saturday (9).

## 'GOLDEN WEST' $14,500, 'BLUEBEARD' 12G, PROV.

Providence, April 5.

'Bluebeard's Eighth Wife' and 'Girl of the Golden West' look like the big coin this week. Other stands hoping for fair biz. 'Jezebel' transferred to Carlton for second week.

**Estimates for This Week**

**Albee** (RKO) (2,200; 25-35-50)—'Mad About Music' (U) and 'Night Spot' (RKO). Looks like swell $9,000. Last week 'Bringing Up Baby' (RKO) and 'Jury's Secret,' neat $9,500.

**Carlton** (Fay-Loew) (1,400; 25-35-50)—'Jezebel' (WB) and 'Blondes at Work' (WB) (2d run). Pulling for meaty $4,500. Last week 'Rebecca of Sunnybrook Farm' (20th) and 'He Couldn't Say No' (WB) (2d run) disappointed at $3,500.

**Fay's** (2,000; 25-35-50)—'Rawhide' (20th) and vaude. Hope of fair $6,300. Last week 'Carnival Queen' (U) and 'Hammerstein's Music Hall of the Air' on stage, carried to okeh $7,000.

**Loew's State** (3,200; 25-35-50)—'Girl of the Golden West' (M-G) heading for beautiful $14,500. Last week 'Adventures of Tom Sawyer' (UA) and 'Start Cheering' (Col), netted nice $12,500.

**Majestic** (Fay) (2,300; 25-35-50)—'Walking Down Broadway' (20th) and 'Mr. Moto's Gamble' (20th). Looking for fair $8,000. Last week 'Jezebel' (WB) and 'Blondes at Work' (WB), good $10,000.

**Strand** (Indie) (2,200; 25-35-50)—'Bluebeard' (Par) and 'Thunder Trail' (Par). Heading for wow $12,000 after sock $9,500 first seven days.

**Cal's Flood on Film**

Hollywood, April 5.

Cine Film Distributors, Inc., has acquired sales rights to 'California's Most Disastrous Flood,' a 16 mm. film of the recent Southern California floods, shot and edited by Ted Voightlander of Metro.

It is aimed for school and home consumption.

# Better Films, Chi's B. O. Ditto; Bette Davis Strong $24,000, 'Bluebeard' $30,000, 'Tom Sawyer' 14G, All OK

## Key City Grosses

**Estimated Total Gross**
**This Week**..........$1,443,500
*(Based on 23 cities, 162 theatres, chiefly first runs, including N. Y.)*
**Total Gross Same Week**
**Last Year**..........$1,847,950
*(Based on 26 cities, 186 theatres)*

Chicago, April 5.

Better feeling generally in the loop this week, with most of the houses experiencing a heightening of box-office interest. This is general spread and not restricted to one or two theatres, as has been the case during the past few weeks. Unquestionably the best reason for the upturn in trade is the better quality of product on display.

Standouts from the opening indications are 'Bluebeard's Eighth Wife' at the Chicago and 'Jezebel' in the Oriental. Latter is getting swarm of femme patronage. Conceded as shaping up as one of the finest national campaigns a picture has had in months, and had stirred up considerable interest long before picture arrived. Local ad and press follow-up built solidly on that foundation.

Apollo has gone back to single features, taking 'Girl of Golden West' after its fortnight in the United Artists. House's one week of double billing was a brutal floperoo, with the gross slumping to a miserable carmine.

Palace continuing with 'Snow White' in its fifth week and determined to keep cartoon through to Easter in view of its box office strength this week.

**Estimates for This Week**

**Apollo** (B&K) (1,200; 35-55-65)—'Golden West' (MG). In here from United Artists and satisfactory with $5,500. Last week double billed 'Octopus' (WB) and 'Kid Comes Back' (WB), a sad experiment and yanked; bitter $3,100.

**Chicago** (B&K) (4,000; 35-55-75)—'Bluebeard' (Par) and stage show. Strong trade from the bell; warm profits with $30,000. Last week 'Bringing Up Baby' (RKO) finished $26,000, okay, bulk of trade coming in on weekend on presence of Kay Kyser orch on stage.

**Garrick** (B&K) (900; 35-55-65)—'Over the Wall' (WB). Exploitation picture that house goes for. Heading into bucks with $7,500 in the offing, strong. Last week 'Goldwyn Follies' (UA) couldn't get started on its return to loop and limped to $4,700.

**Oriental** (B&K) (3,200; 35-55-75)—'Jezebel' (WB) and stage show. Rising coin tide currently lifts take to excellent $24,000. Last week 'Hawaii Calls' (RKO) took good $18,000, mainly on July Garland's three-day p.a. over the weekend.

**Palace** (RKO) (2,500; 35-55-65-75)—'Snow White' (RKO) and vaude. (5th week.) Not yet feeling the pressure of time. Looks $21,000, still a remarkable take in the face of run. Last week managed strong $21,900.

**Roosevelt** (B&K) (1,500; 35-55-65-75)—'Judge Hardy' (MG). (2d wk.) Almost freakish in its money-making ability. Came in without too much ballyhoo or expectations but getting coin, mainly on follow-up of nabe click of previous 'You're Only Young Once.' To $9,000 currently, following fine $11,500 last week.

**State-Lake** (Jones) (2,700; 25-35-45-55)—'Drummond's Revenge' (Par) and vaude. At $11,000 currently, all right. Last week 'Adventurous Blonde' (WB) faded somewhat to $10,100.

**United Artists** (B&K-UA) (1,700; 35-55-65-75)—'Tom Sawyer' (UA). Kid flicker got away on Saturday (2), but looks like good money entry from opening indications and figures maybe $14,000, good, for starting session. Last week 'Golden West' (MG) finished fairish fortnight to $11,300.

# Deanna Durbin $13,000, Hepburn $9,400, Denver

Denver, April 5.

Local film business is doing satisfactorily at the moment. All first-runs are getting average grosses or better. And with a continuation of the perfect weather all should finish strongly.

**Estimates for This Week**

**Aladdin** (Fox) (1,400; 25-40)—'Rebecca of Sunnybrook Farm' (20th). Strong $4,500 and moves to the Broadway. Last week, 'Goldwyn Follies' (UA), $4,000, very nice.

**Broadway** (Fox) (1,100; 25-40)—'Goldwyn Follies' (UA). Nice $3,000 and goes to the Rialto for a fourth downtown week. Last week, 'Snow White' (RKO), good at $3,000.

**Denham** (Cockrill) (1,750; 25-35-40)—'Bluebeard' (Par) (2d week). Nice $6,000. Last week, same picture had standouts every day and came near breaking the house record with $11,500.

**Denver** (Fox) (2,525; 25-35-50)—'Mad About Music' (U). Punchy $13,000. Last week, 'Rebecca of Sunnybrook Farm' (20th), did a fair $9,500.

**Orpheum** (RKO) (2,600; 25-35-40)—'Bringing Up Baby' (RKO) and 'Night Spot' (RKO). Hefty $9,400 in sight. Last week, 'Everybody Sing' (MG) and 'Condemned Women' (RKO), fair $8,500.

**Paramount** (Fox) (2,200; 25-40)—'Little Miss Roughneck' (Col) and 'Lone Wolf in Paris' (Col). Okay $4,000. Last week, 'Met My Love Again' (UA) and 'Sergeant Murphy' (WB), fair $3,000.

**Rialto** (Fox) (878; 25-40)—'Tom Sawyer' (UA) and 'Sez O'Reilly to McNab' (GB). Very nice $2,000. Last week, 'Tom Sawyer' (UA) and 'Love on a Budget' (20th), did about 50% above average with $2,500.

# 'JEZEBEL' ONLY GOOD B. O. IN S. F., $17,500

San Francisco, April 5.

'Jezebel' and 'Hawaii Calls' are the only new pictures on the street, all of the other houses carrying holdovers.

Former will lift the Warfield out of doldrums. Booking of Bobby Breen picture into the United Artists was made possible by the overabundance of RKO product for the Gate caused by the extended run of the Disney feature. Moppet did a personal appearance first two days of his picture.

**Estimates for This Week**

**Embassy** (Cohen) (1,512; 35-55)—'Goldwyn Follies' (UA) (4th week). Held up much better than expected considering the disappointing opening; fourth stint will get around $5,000. Last week oke $5,500.

**Fox** (F-WC) (5,000; 35-75)—'Bluebeard's Eighth Wife,' (Par) and 'Walking Down Broadway' (20th) (2nd week). Fair enough $10,000. Last week big $18,000.

**Golden Gate** (RKO) (2,850; 35-55)—'Snow White' (RKO) (5th-final week). Snappy $12,000 anticipated for final session. Had hoped to hold until schools closed on April 11, but picture cost too much. Last week (4th) $16,000, slightly under expectations, but nevertheless, big.

**Orpheum** (F&M) (2,440; 35-55)—'Mad About Music' (U) and 'Midnight Intruder' (U) (5th-final week). Everything taken into consideration, the anticipated $5,000 for the final lap is plenty good. Last week nabbed good $6,800.

**Paramount** (F-WC) (2,740; 35-55-75) 'Old Chicago' (20th) (3d week). Looks geared for $9,000, big, but not up to expectations. Last week (2nd) did fine $14,500.

**St. Francis** (F-WC) (1,470; 35-55-75)—'First 100 Years' (MG) and 'Invisible Menace' (WB) (2nd week) with 'The River' added. Lucky to get $4,200. Last week (2nd) 'Merrily We Live' (MG) and 'Blondes at Work' (WB) a sad $3,500.

**United Artists** (Cohen) (1,200; 35-55)—'Hawaii Calls' (RKO). Breen fair enough draw at Golden Gate, but here he doesn't mean much. The Cantor prodigy made p.a. Saturday and Sunday but far from big with no more than $8,000 in sight. Last week (9 days) 'Lady X' (UA) sank to $7,000, bad. Theatre spent around $3,000 advertising this English picture.

**Warfield** (F-WC) (2,680; 35-55-75)—'Jezebel' (WB) and 'Island the Sky' (20th). Bette Davis always a draw here, hope for $17,500; terrific compared to some of the grosses this house has had to show for several weeks. Last week, 'First 100 Years' (MG) and 'Invisible Menace' (WB) lucky to get around $8,000, awful.

## SMPE's D.C. Convensh Set

Daniel C. Roper, secretary of commerce; Senator William G. McAdoo and Dr. C. E. Kenneth Mees, vice-pres., in charge of research for Eastman Kodak, will be top speakers at the convention of Society of Motion Picture Engineers scheduled for April 25-28 in Washington, D. C. Nate Golden, picture division chief in Commerce Dept.'s foreign and domestic commerce bureau, is setting details for luncheon on April 25.

Mrs. Franklin D. Roosevelt will receive women visitors to SMPE meeting at a White House reception opening day.

# 'GOLDEN WEST,' BETTE 13G, CINCY

Cincinnati, April 5.

For the second straight week only three ace cinemas have fresh releases. For them trade is above par. At the other stands it's another yawning spell for the cage gals.

**Estimates for This Week**

**Albee** (RKO) (3,300; 35-42)—'Jezebel' (WB). Okay, $13,000. Last week, 'Rebecca' (20th), $10,500, fair.

**Capitol** (RKO) (2,000; 35-42)—'Bluebeard' (Par). Moved from Palace for second week; fair, $4,500. Ditto last week on 'Tom Sawyer' (UA) (2d week).

**Family** (RKO) (1,000; 15-25)—'Black Doll' (U), 'Invisible Menace' (WB), 'Small-Town Boy' (GN), separate. Regular $2,300. Same last week with 'Daredevil Drivers' (WB), 'Spy Ring' (U), 'Night Spot' (RKO), singly.

**Grand** (RKO) (1,200; 25-40)—'Mad About Music' (U) (3d week). Okay, $3,300. Last week, 'I Was a Spy' (G-B), $2,300, slow.

**Keith's** (Libson) (1,500; 25-40)—'Rebecca' (20th). Transferred from Albee for second week; n.s.h., $4,000. Last week, 'Mad About Music' (U) (2d week), $4,500, all right.

**Lyric** (RKO) (1,400; 35-42)—'Condemned Women' (RKO). Fairly good, $4,200. Last week, 'Wide Open Faces' (Col), $3,000, poor.

**Palace** (RKO) (2,600; 35-42)—'Girl of Golden West' (M-G). All right, $13,000. Last week, 'Bluebeard' (Par), $14,000, very good.

**Shubert** (RKO) (2,150; 42-60)—'Island in the Sky' (20th) and Major Bowes' 'Collegiate Revue.' Poor $9,000. Last week, 'Love, Honor and Behave' (WB) and vaude headlined by Ina Ray Hutton's band, $9,500, slow.

# Lent Boffs Montreal; 'Jezebel,' 'Bluebeard' 7G

Montreal, April 5.

Full roster of new pix at all main stems but last fortnight Lent liable to be even below recent slump. His Majesty's continues legit season with fair grosses.

**Estimates for This Week**

**Palace** (CT) (2,700; 50)—'Bluebeard' (Par). Will be good at $7,000. Last week, 'Snow White' (RKO) (5th week) good enough at $4,500.

**Capitol** (CT) (2,700; 50)—'Jezebel' (WB) and 'She Couldn't Say No' (WB). At $7,000 will be very good. Last week, 'Yank at Oxford' (MG) held to expectations at $8,500, very good.

**Loew's** (M. T. Co.) (3,200; 50)—'Start Cheering' (Col) and 'The Black Doll' (U). Looks as though house will do no more than $4,000, poor. Last week, 'Penitentiary' (Col) and 'No Time to Marry' (Col), just fair $5,000.

**Princess** (CT) (2,300; 50)—'Rebecca of Sunnybrook Farm' (20th) and 'Charlie Chan at Monte Carlo' (20th). May gross $5,000, good. Last week, 'Radio City Revels' (RKO) and 'Everybody's Doing It' (RKO) $4,000, fair.

**Orpheum** (Ind) (1,100; 50)—'Stand In' (UA) and 'Bulldog Drummond's Revenge' (Par). Might gross $3,500, good for season. Last week, h.o. of '52d Street' (UA) and 'When Thief Meets Thief' (UA), down at $2,500.

**Cinema de Paris** (France-Film) (600; 50)—'Soeurs D'Armes.' Best possible, $1,700, poor. Last week, second of 'Samson,' very poor at $1,300.

**St. Denis** (France-Film) (2,300; 34)—'Gigolette' and 'Choc Retour.' Will be glad of $4,000, good enough. Last week, 'Les Anges Noirs' and 'A Venise Une Nuit' $4,000, fair.

### RKO'S 'STOOGE' SCRIPT

Hollywood, April 5.

Dalton Trumbo has checked in at RKO where he will do the screen play for Richard Wormser's story, 'Birthday of a Stooge,' which Lou Lusty will produce.

Scripter recently wound up a year's stint on the Metro lot.

# 'Tis the Week Before Holy, and B'way Reflects It; H. O.'s Best, 'Bluebeard' With Lombardo 45G, 'Golden West' 25G

## Broadway Grosses

**Estimated Total Gross**
**This Week**..........$237,700
*(Based on 11 theatres)*
**Total Gross Same Week**
**Last Year**..........$322,300
*(Based on 12 theatres)*

A few of the Broadway houses are getting all of the business this week, the others nothing. Bitterest disappointment is 'Gaiety Girls,' English-made, which has been pretty well thought of and received good notices, but isn't living up to any kind of backing at the Rivoli. On its first week here, ending last night (Tues.), the British musical brought tears at $5,000, a new low.

Another starter of the week which is also disappointing is 'Divorce of Lady X.' The Music Hall will be lucky to finish the week at $65,000 with this one, and tomorrow (Thurs.) is rushing 'Marco Polo' in, with intended holdover through Easter, even if Holy Week up ahead isn't desirable for it. Riv is forced to go three more days with 'Gaiety Girls,' with house bringing in 'Return of Scarlet Pimpernel' Saturday (9).

Street is led by lengths by 'Bluebeard's Eighth Wife' and Guy Lombardo at the Paramount. Second week of this show, at $45,000, ending last night (Tues.), is terrific business. Goes a third stanza, with 'Jungle Love' and Tommy Dorsey orchestra to open Wednesday (13) under the gun for Easter. Another stage show house that maintains a remarkable momentum is Loew's State. No matter what happens to the rest of the street, both this house and the Par seem to keep a steady pace. State this week, with 'Everybody Sing' on second run and vaude headed by Bert Wheeler, Eddie Garr and Fifi D'Orsay, should get nice $26,000. Thus this house is second best to the Par currently.

'Girl of the Golden West' is holding up admirably at the Capitol, appearing around $25,000, while 'Rebecca,' on weak holdover, will manage a small profit at $30,000.

Best of the secondary first runs is 'King of the Newsboys,' Criterion offering, which, with aid of another chapter in the 'Lone Ranger' serial, is very strong at $11,000. Neither 'Port of Missing Girls,' at the Globe, nor 'Making Headlines,' Rialto - cumbent, are going places. Former will be about $6,000, fair, while 'Headlines' looks to round out the week at about $6,200, also just fair. Rialto is bringing in 'Dracula' (revival) tomorrow (Thurs.) for Holy Week.

United Artists' experiment with one of its pictures on an arty run, with first call on 'Storm in a Teacup' going to the Little Carnegie, wasn't so dumb. The picture hit a new high on its first week at this house of $5,400, and on the second is powerful for such an engagement at $4,800.

On its holdover at the Strand, 'Over the Wall' will be in the vicinity of only $10,000, mild, with house ushering in 'Women Are Like That' Saturday (9). This was a chancey holdover on a pace of only $18,000 the first week.

**Estimates for This Week**

**Capitol** (4,520; 25-35-55-85-$1.25)—'Girl of Golden West' (MG) (2d-final week). Eddy-MacDonald names bolstering this one on holdover to around $25,000, good. The first seven days was close to $37,000, excellent. 'Judge Hardy's Children' (MG) opens tomorrow (Thurs.).

**Criterion** (1,662; 25-40-55)—'King of Newsboys' (Rep) and 'Lone Ranger' serial (Rep). They are being forced to reckon with this house of late; currently the gate looks to go $11,000 or over, very good. Last week, 'Tip-Off Girls' (Par), also up there in the top brackets, $10,000, fine.

**Globe** (1,274; 25-40-55)—'Port of Missing Girls' (Mono). Probably a little under average, around $6,000 appearing the answer. Last week, second for 'Radio City Revels' (RKO), $6,500.

**Palace** (1,700; 25-35-55)—'Slight Case of Murder' (WB) (2d run) and 'Walking Down Broadway' (20th) (1st run). Not so good here currently, probably $8,500. Last week, 'Sally, Irene' (20th) and 'Kid Comes Back' (WB), both 2d run, topped $9,000, fair.

**Paramount** (3,664; 25-35-55-85-99)—'Eighth Wife' (Par) and Guy Lombardo orchestra (2nd week). Cooper-Colbert starrer, with aid of Lombardo's band, making Lent look sick with strong $45,000 second week ending last night (Tues.) after a sensational $56,000 the first seven days. Show goes a third lap, with 'Jungle Love' (Par) and the Tommy Dorsey orchestra, plus Ben Blue, in the pit opening Wednesday (13).

**Radio City Music Hall** (5,980; 40-60-84-99-$1.65)—'Lady X' (UA) and stage show. Comment on picture good but gross isn't; the seven days ending tonight (Wed.) will be $65,000 tops, profit though disappointing. Last week is something no one talks about, 'Fools for Scandals' (WB) having finished at brutal $52,500. 'Marco Polo' (UA) opens tomorrow (Thurs.).

**Rialto** (750; 25-40-55)—'Making Headlines' (Col). Another medium business-getter for this house, $6,200. The same figure was grossed last week by 'Dr. Hallet' (U).

**Rivoli** (2,092; 25-55-75-85-90)—'Gaiety Girls' (UA). Someone must have put the Indian sign on this one at a pace of only $5,000, new low for house, on week ending last night (Tues.). In order to have more time to prepare for opening of 'Scarlet Pimpernel' (UA), 'Gaiety Girls' goes another three days, with 'Pim' to open Saturday (9).

**Roxy** (5,836; 25-40-55-75)—'Rebecca' (20th) and stage show (2d-final week). Just gets by on its holdover at $30,000 tops, showing little profit. The first week was under average at $40,000, with the holdover in view of that quite a gamble. House, however, wanted to save 'Old Chicago' (20th) for opening Friday (8).

**Strand** (2,767; 25-55-75)—'Over the Wall' (WB) (2d-final week). Another dangerous holdover at only around $10,000 on the current (2d) stanza. Got $18,000 the first seven days, okay.

**State** (3,450; 35-55-75)—'Everybody Sing' (MG) (2d run) and vaude bill topped by Bert Wheeler. Indications point to a good $26,000 currently. Last week, 'Buccaneer' (Par) (2d run) and Louis Armstrong's orchestra, $24,000.

# 'SAWYER' $16,000 LEADING BALTO

Pittsburgh, April 5.

Pre-Easter slump continues locally and everybody just sitting back, waiting for the end of Lent and hoping. Only thing making a sizable dent this week is 'Tom Sawyer' at Penn, where kid classic caught on right from the start and is pushing on to respectable gross.

**Estimates for This Week**

**Alvin** (Harris) (2,000; 25-35-50)—'Viva Villa' (MG) and 'City Girl' (20th). Looks like hefty $5,400 anyway. Last week, 'Sally, Irene and Mary' (20th) in five days of second week in the dumps at $3,800.

**Fulton** (Shea-Hyde) (1,750; 25-40)—'Mad About Music' (U) (3d week). Should do okay $4,200 on session and stays an extra three days, pulling house to Saturday opening for 'Prison Nurse' (Rep) and 'Love Is a Headache' (MG), dual, in order to give 'Rebecca of Sunnybrook' (20th) a day before Easter getaway. In second week, 'Music' got around $5,500 after $8,700 opener.

**Penn** (Loew's-UA) (3,300; 25-35-50)—'Tom Sawyer' (UA). Pretty close to $16,000, and no complaints. Last week, 'Girl of Golden West' (MG) all right at $17,500 in eight days.

**Stanley** (WB) (3,600; 25-40-60)—'Merrily We Live' (MG) and Happy Felton's band and Larry (Buster) Crabbe on stage. Combo will be lucky to grab off $15,000, among this spot's poorer figures of the season; Felton a last-minute substitute for Shep Fields, who fell ill with appendicitis. Last week, Tommy Dorsey and 'Wise Girl' (RKO), pretty close to $19,500.

**Warner** (WB) (2,000; 25-40)—'Hitting a New High' (RKO) and 'Sergeant Murphy' (WB). Comes out after terrible six days and doesn't stand much chance of bettering $3,300 for that period. Last week, 'Snow White' (RKO) (4th week) excellent at $6,000 and could have remained had not WB wanted to clear the Disney hit in time to get it into the nabe sites for the Easter trade.

## More WB Flag-Wavers

Hollywood, April 5.

Warners will increase its schedule of patriotic shorts for the new season to eight. Decision was prompted by the success of the six turned out for the 1937-38 program.

Gordon Hollingshead, producer of the Technicolor historical briefies, adding to his staff to handle the extra pair.

# Lent Slumps Mpls., Mae West 19G, 'Bluebeard' $9,500, 'Broadcast' $2,000

Minneapolis, April 5.

Imminence of Holy Week isn't doing the general box office situation any good. Concentration of patronage into the handful of extra strong cards, including also the Barney Ross-Schaft prizefight, as well as extremely poor general business conditions, provides an insurmountable handicap for run-of-the-mine offerings.

**Estimates for This Week**

**Aster** (Par-Singer) (900; 15-25)—'Penitentiary' (Col) and 'No Time to Marry' (Col), dual. Headed for good $1,100. Last week 'International Settlement' (20th) and 'Blondes at Work' (WB), dual, split with 'Spy Ring' (U) and 'Double Danger' (RKO), also dual $900, fair.

**Century** (Par-Singer) (1,600; 25-35-40)—'Romance in Dark' (Par). Will do well to finish full week; bad $2,500 in prospect. Last week 'Mad About Music' (U) (2d week), $4,500, not up to expectations.

**Minnesota** (Par-Singer) (4,200; 25-35-55)—'Bluebeard' (Par). Giving this house its best week in some time; may reach good $9,500. Last week, 'Goldwyn Follies' (UA), fair $8,500 for nine days.

**Orpheum** (Par-Singer) (2,890; 35-50-60)—'Kid Comes Back' (WB) and Mae West in person and stage show; prices tilted 5c; $19,000 in sight, disappointing. Last week 'Everybody Sing' (M-G), $3,300, light.

**State** (Par-Singer) (2,300; 25-35-55)—'Snow White' (RKO) (5th week). Tremendous takings for first month, but now slipping plenty; mild $3,500 indicated. Last week $5,300, good enough, considering $18,000, $12,000 and $7,000 previous weeks.

**Time** (Berger) (290; 15-25) — 'China Clipper' (WB). Reissue jogging along at tame pace; $700 indicated. Last week 'Victoria the Great' (RKO) (2d run), $400 for five days, light.

**Uptown** (Par) (1,200; 25-35)—'Big Broadcast of 1938' (Par). Fair $2,000 in prospect. Last week 'Buccaneer' (Par) and 'Dead End' (UA), split, $2,300, fair.

**World** (Steffes) (350; 25-35-40-55) —'Club de Femmes' (French) (2d week). May reach satisfactory $1,600. First week, $1,200 satisfactory.

# 'SAWYER' $12,000 PITT STANDOUT

Baltimore, April 5.

Pre-Easter slump is taking hold here with all houses on the skids. Some play for 'Tom Sawyer' at Loew's Century with extra heavy juve trade.

**Estimates for This Week**

**Auditorium** (McLaughlin) (1,575; 15-25-40)—'Snow White' (RKO) (8th week). Holding up a fairish pace and continuing profit in this legit house under rental to Izzy Rappaport, after four-week session at combo Hipp; $3,000 last week a trifle off; total take to date, $73,200.

**Century** (Loew's-UA) (3,000; 15-25-35-40-55) — 'Tom Sawyer' (UA). Leading town and cashing in on heavy juve trade to $12,000. Last week, 'Girl of the Golden West' (MG) held up to bullish $14,800.

**Hippodrome** (Rappaport) (2,205; 15-25-35-40-55-66) — 'Hawaii Calls' (RKO) and vaude. Attracting some mild interest to $10,500. Last week, 'Start Cheering' (Col), way off at $9,100.

**Keith's** (Schanberger) (2,460; 15-25-35-40-55)—'Over the Wall' (WB). Fair trade at $5,000. Last week, 'Boy of Streets' (Mono), so-so $3,900.

**New** (Mechanic) (1,550; 15-25-35-55) — 'Walking Down Broadway' (20th). Nothing much at $3,000. Last week, 'Rebecca of Sunnybrook Farm' (20th) (2d week), $3,200 after slightly better first session to $4,900.

**Stanley** (WB) (3,250; 15-25-35-40-55) — 'Jezebel' (WB) (2d week). Holding pace to $10,000 after booming opener of $15,300.

## Robert Taylor, $3,600, Leads Pack, Lincoln

Lincoln, April 5.

'Yank at Oxford' is pacing the town this week. Big surprise last week was furnished by 'Dr. Syn' at the Kiva, perking up after a slow start to net $1,100.

**Estimates for This Week**

**Kiva** (Noble) (440; 10-15)—'Start Cheering' (Col). Well liked and looks like a very good $1,200. Last week, 'Dr. Syn' (GB), came through with a profiting $1,100 after poor start.

**Liberty** (Cooper) (1,200; 10-15)—'Spy Ring' (U) and 'Heidi' (20th), split with 'Code of the Rangers' (Mono) and 'China Clipper' (WB). Fair $1,000. Last week, 'Courage of the West' (U) and 'Wild and Woolly' (20th), split with 'Where the West Begins' (Mono) and 'Life Begins at College' (20th), not so hot with $900.

**Lincoln** (Cooper) (1,600; 10-20-25-35)—'Boy of the Streets' (Mono) and 'Paradise for Three' (MG). House doesn't go too well on duals, but should draw about $2,500, good. 'Second Honeymoon' (20th) wound up last week with excellent $3,000.

**Orpheum** (Cooper) (1,350; 10-15-20-25) — 'Goldwyn Follies' (UA). Should get $1,500, fair enough. Last week, 'Thoroughbreds Don't Cry' (MG), limped home with $1,300.

**Stuart** (Cooper) (1,900; 10-25-40)—'Yank at Oxford' (MG). Femmes are still strong enough with influence to drag their mates along, and a $3,600 is in the offing. Last week, 'Goldwyn Follies' (UA) romped home with neat $4,100.

# Colbert-Cooper $6,500, 'Merrily' $6,200, Seattle

Seattle, April 5.

Palomar, lone vaude spot in burg, is proving the town has some vaude fans; also that they like duals. When this spot has duals grosses are consistently up a grand a week. Many kick on the duals, but the b. o. shows the reverse.

**Estimates for This Week**

**Blue Mouse** (Hamrick-Evergreen) (850; 32-37-42)—'Sally, Irene and Mary' (20th) and 'International Settlement' (20th), dual. Indicated good $2,900 for six days. Last week, 'Slight Case of Murder' (WB) and 'Love, Honor and Behave' (WB), dual, nice at $2,800.

**Coliseum** (Hamrick-Evergreen) (1,950; 21-32)—'Hurricane' (UA) and 'Beg, Borrow or Steal' (M-G), dual. Looking around $3,500, good enough. Last week, 'Brimstone' (M-G) and 'Man Proof' (M-G), dual, $4,100, great.

**Colonial** (Sterling) (850; 10-21)—'Behind the Mike' (U) and 'Hold 'em, Navy' (Par), dual, split with 'Western Gold' (20th) and 'Wallaby Jim of the Islands' (GN), dual. Expected okay $2,200. Last week, 'Sky Devils' (Mono) and 'Painted Trail' (Mono), dual, $2,800, great.

**Fifth Avenue** (Hamrick-Evergreen) (2,400; 32-37-42) — 'Snow White' (RKO) (4th week), holding for nine days. Starting to taper, likely to reach good $7,800; moves to Music Box. Last week (third), great $10,200.

**Liberty** (J-vH) (1,800; 21-32-42)—'Met My Love Again' (UA) and 'Trapped by G-Men' (Col). Anticipated okay $4,000. Last week, 'Wide Open Faces' (Col) and 'Lone Wolf in Paris' (Col), dual, 10 days, slow at $4,800.

**Music Box** (Hamrick-Evergreen) (850; 32-37-42)—'Mad About Music' (U) and 'Walking Down Broadway' (20th), dual (4th week). Going along for expected $2,800. Last week, same films, $3,300, big.

**Orpheum** (Hamrick - Evergreen) (2,600; 32-37-42)—'Merrily We Live' (M-G) and 'Romance in Dark' (Par) dual. Heading for $6,200, excellent. Last week, 'Sally, Irene and Mary' (20th) and 'International Settlement' (20th), dual, okay $5,600.

**Palomar** (Sterling) (1,350; 10-27-37)—'King of Newsboys' (Rep) (locally renamed 'Up from the Streets') and 'Daredevil Driver' (WB), dual, with vaude. Anticipated big $4,000. Last week, 'Prisoners' (Rep) and 'She's Got Everything' (RKO), dual, and vaude, $4,100, great.

**Paramount** (Hamrick-Evergreen) (3,049; 32-37-42)—'Bluebeard' (Par) and 'Dangerous to Have' (Par), dual (2d week). Paced at good $6,500. Last week, same films, $10,000, sock.

**Roosevelt** (Sterling) (850; 21-32)—'Hollywood Hotel' (WB) and 'Bulldog Drummond's Revenge' (Par), dual. Meandering to slow $2,300. Last week, 'You're a Sweetheart' (U) and 'Prescription for Romance' (U), dual, $2,500, good.

## Team Powell-Lane

Hollywood, April 5.

Warners will use Dick Powell and Rosemary Lane in the lead roles of 'For Lovers Only.'

Joseph Schrank and Wally Klein are writing the screen play.

## Buildup for Jean

Hollywood, April 5.

Jean Rogers, under contract to Universal for more than two years, has obtained her release and moved over to 20th-Fox under a term deal.

Darryl Zanuck plans to build her to featured roles.

## START SINGING

Hollywood, April 5.

Paramount sent 'Sing, You Sinners,' co-starring Fred MacMurray and Bing Crosby, before the cameras last Thursday (30) with Wesley Ruggles producing and directing.

Erin Drew has the femme lead.

## Claudette-Gary $7,500, Pacing Portland, Ore.

Portland, Ore., April 5.

'Girl of the Golden West' in its second week at Parker's UA is in line to rate the burg's top b.o. score. Leader for the high mark is 'Bluebeard's Eighth Wife' at the Paramount. Both will hold longer.

**Estimates for This Week**

**Broadway** (Parker) (2,000; 30-55) —'First 100 Years' (MG) and 'Crime of Dr. Hallet' (U). Just about average $5,000. Last week, 'Of Human Hearts' (MG) and 'Paradise for Three' (MG), mild $4,500.

**Mayfair** (Parker Evergreen) (1,500; 30-55)—'Mad About Music' (U) and 'Arsene Lupin Returns' (MG) (5th week). Still holding its own for okay $1,800. Fourth week, $2,000. First three weeks totaled around $14,000.

**Orpheum** (Hamrick - Evergreen) (2,000; 30-55)—'Snow White' (RKO) (5th week). Hitting a fair average at $3,700. Fourth, $4,500. First three weeks did better than $23,000.

**Paramount** (Hamrick - Evergreen) (3,000; 30-55) — 'Bluebeard' (Par and 'Dangerous to Know' (Par). Scoring a big $7,500 and will hold. Last week, 'Big Broadcast' (Par) and 'Little Miss Roughneck' (Col), fair $5,000.

**Rivoli** (Indie) (1,200; 15-40) — 'Murder on Diamond Row' (UA) and 'Mama Runs Wild' (Rep) and vaude. Winning week with $3,000. Last week, 'Everybody's Doing It' (RKO) with vaude unit billed in top place, did an average $2,600.

**United Artists** (Parker) (1,000; 30-55)—'Girl of the Golden West' (MG) (2d week). Still mopping up for great $6,500. First week, terrific smash at $8,000.

# BETTE-BOWES NICE $24,000 IN DETROIT

Detroit, April 5.

Pre-Easter doldrums setting in early, and with coupla holdovers along with auto layoffs, biz is pretty shaky.

'Jezebel,' plus Major Bowes unit at the Michigan, looks to top the town but under normal, while 'Chicago' and vaude continues to draw at the Fox. 'Snow White,' in fourth week at Madison, figures to stick for Holy Week, giving Disney pic seven sessions here, counting two week day-daters at the UA.

**Estimates for This Week**

**Adams** (Balaban) (1,700; 30-40)—'Start Cheering' (Col), plus 'Island in Sky' (Col), dual. Getting around normal $5,000. Last week okay $4,700 for 'Mad About Music' (U) (re-run) and 'Midnight Intruder' (U), Durbin opus having played two weeks at Fox.

**Fox** (Indie) (5,000; 30-40-65)—'Old Chicago' (20th) (2d week), plus vaude. Holding over for okay $20,000, following bumper $30,000 previous stanza.

**Madison** (United Detroit) (2,000; 30-40-65)—'Snow White' (RKO) (4th week). Sticking steadily, $7,500, and figures to hold another session. Holy Week. Has clipped off takes of $10,200, $9,000 and $8,700 at this spot, plus sessions of $15,500 and $10,500 at the UA.

**Michigan** (United Detroit) (4,000; 30-40-65) — 'Jezebel' (WB) with Bowes unit on stage. At around $24,000, best house has had in some time, although not startling. Tepid $18,000 last stanza for 'Bluebeard' (Par) with Rita Rio and Happy Felton bands in 'Battle of Swing.'

**Palm-State** (United Detroit) (3,000; 30-40-50)—'Kid Comes Back' (WB) and 'Breakfast for Two' (RKO), dual. Fair $6,500 due. Poor $5,000 last stanza for 'Fit for King' (MG) and 'Daredevil Drivers' (MG).

**United Artists** (United Detroit) (2,000; 30-40-65)—'Merrily We Live' (MG). Brutal $5,000. Last week fair $8,500 for 'Girl of Golden West' (MG).

## Muni Stays WB

Hollywood, April 5.

Paul Muni, back from tour of Europe, has signed a contract that will keep him on Warners lot, where he got his screen start.

He had previously announced he would freelance after one more picture at the Burbank studio.

## Now for Mr. Whitney

Hollywood, April 5.

Republic has teamed Alex Gottlieb and Norman Burnstine to the scripting job on 'The Great Wall Street Scandal,' based on the Whitney crackup.

It is their fifth assignment as a team.

# Inside Stuff—Pictures

Audiences at the Radio City Music Hall, N. Y., last week broke out in spontaneous applause at an outdoor color sequence in Korda's 'Divorce of Lady X' (UA). Scene was the start of a fox hunt in Buckinghamshire, and the applause was apparently as much for the colorful surroundings, of sloping lawns, trees, hedges, a country mansion, and the red coats, horses and hounds, as for the extremely realistic Technicolor reproduction. Earlier shots of synthetic London fog were not nearly as convincing.

Color scenes of Broadway at night in 'Nothing Is Sacred' (UA) were also applauded at most performances. Applause for pictorially effective film shots is not usual, however. Legit audiences nearly always respond for striking settings.

Day after Thomas Proffitt, Universal newsreel cameraman from Chester, Pa., lost his life last week when big raft crashed into a Susquehanna river pier near Williamsport, Pennsylvania superior court in Pittsburgh turned down appeal of Proffitt and his wife, Ella, in suit seeking to recover sum of money from Warner Bros. Proffitts tried to get difference between purchase price set in option lease on their property in Delaware County, Pennsylvania, and what Warners later paid at a sheriff's sale. They lost the case in the lower courts at Delaware county and had carried it higher. Decision was handed down in Pittsburgh just the moment newspapers were flashing definite confirmation of Proffitt's death in the accident which cost several lives.

Warners has effected a three-way tie-up with Street & Smith Publications and Universal Camera Corp. for a home motion picture test contest, the winners to be brought to Hollywood for a week of studio sightseeing with all expenses paid. Publishing house, addition to mag space ballyhoo, is dipping into its treasury for 3,500 truck banners, 55,000 broadsides for dealers and 30,000 newsstand posters. S. & S. publicity service will also send plugs to 500 daily newspapers.

Warners pictures to be boosted are 'Golddiggers in Paris,' 'Cowboy From Brooklyn,' 'Valley of the Giants,' 'Brother Rat,' 'Boy Meets Girl' and 'Four's a Crowd.'

Industry thus far is not particularly worried about overseating, excepting in a few spots. Reason is largely attributed to the manner in which seating capacity has held close to old levels. Number of new cinema structures erected in the past 12 months is not large compared with those which were abandoned for new spots or shuttered. Hence, seating has remained at a fairly even keel.

Possibly closest approach to overseating at present time is in Detroit where idle plants have curtailed expenditures. This is a natural development since auto factories generally slow down operations first in any business recession.

Decision on a liaison man for all newsreel material at the N. Y. World's Fair awaits word now from Grover Whalen, head of the fair, as to amount of money to be paid and approval of suggested candidates. The five newsreels have nominated several and these have been laid before the fair association through the Hays office.

In the meantime, the delay in setting up this official to facilitate making of worthwhile publicity stories on the N. Y. exposition is holding back this medium of publicizing. In contrast, the newsreels made a comprehensive story last week of the San Francisco Fair, to be held the same year as New York's.

Important film-stage art director has found himself in hot water because of non-payment of wages to workers he hired to aid him in redecorating a picture studio executive's home for a party. Chap, formerly under contract to a studio, has been cited before the California Labor Commission for a hearing on a flood of complaints. Accused, now jobless, is penniless as well.

As part of Music Corp. of America's plan to establish itself on the Hollywood scene, the agency bought Meiklejohn's acts, and is also acquiring other talent contracts by purchase from other agents.

If present ideas are carried out, the recently formed Film Library Association, put together ostensibly to distribute motion pictures to educators, would be headed by an educator with an industry man as assistant. Understanding is that the man representing educational interests would be virtually a 'front man,' with actual work done by film business official. Doubtful if the industry would okay such a setup without such specific understanding. Matter of the Picture Library will have to get either direct or semi-direct film biz okay before it can be worked into the system of distributing appraised pictures to the classrooms.

Banker influence in Paramount reportedly was the motivating factor in departure of Ernst Lubitsch from Par lot as producer after checkup of record showed that in last 11 years Lubitsch has produced only two pictures which were real money-makers. He has made an average of two yearly. Lubitsch is an expensive producer who always goes long on shooting, with resultant heavy cutting in reaching final print. He cut about 800 feet out of 'Bluebeard's Eighth Wife' after the first print had been sent east for previewing by Paramount executives.

Warners will do a remake of 'Sally' from a treatment by Mark Hellinger which gives that former Ziegfeld musical a sort of 'Star Is Born' treatment. Script is said to be more or less what actually happened on the WB lot: a script is given to a writer to refurbish, said script being 'Sally,' and from then on is enacted what the story should be.

WB problem at the moment is a titular lead for 'Sally.'

Judgment for $10,000 against British rag for libeling Shirley Temple was particularly pleasant news to foreign correspondents in Hollywood who have been pestered for years, almost weekly, with foreign queries asking correspondents to check a legend that Shirley Temple is a 27-year-old dwarf.

Warners' 36-page, sepia-covered pressbook on 'Fools for Scandal' has been selected by the American Typography Association as the finest example of pamphlet printing in the past year. Award was made after studying catalogs from all important industrial concerns as well as pressbooks from major studios.

Bill at Albany to force employment of two men in each picture house booth in New York state, was successfully defeated by upstate independent exhibitors. The chains took little interest in the campaign to kill the measure since most of the chain houses employ two or more boothmen as it is.

Portraits and stills on Paramount players, unused after the campaigns on films have been completed, are sent to Los Angeles hospital, where children are patients, under new order by Terry DeLappe, studio publicity director.

'Love, Honor and Behave' (WB), only now being released, interpolated 'Bei Mir Bist Du Schoen' last December, with idea for a quick release. But the studio encountered considerable untoward complications, hence the datedness of the pop tune.

# A Headache for House Managers

**If the Neely bill ever became a law, it was going to put a terrific crimp into hundreds of managers; chiefly small timers, who have made block booking their excuse for pretty nearly everything save broken springs in the chairs.**

**Whenever they are visited by local welfare workers, they pull a long face, shed a few tears and tell the complainants the awful tale of how block booking has them bound hand and foot. They have no choice in the selection of their offerings, but must take whatever the dictatorial producers send them. They don't want to play these terrible pictures any more than the protesters want them shown, but they have no recourse. They are block-booked. The result has been that thousands of reformers have wept over the sorrows of their managers and have written their congressmen to do something about it. If Congress does, it is going to knock the props from under literally hundreds of managers, who have worked their pet alibi for years.**

**The men who have permitted their patrons to assume that 'Ecstasy,' 'Birth of a Baby' and similar product are the results of block booking will be forced to think hard and fast.**

# EDMISTON AS PETTENGILL'S FOLLOW-UP?

Introduction of new Edmiston anti-block booking bill in the House last week at Washington is taken to mean in industry circles that anti-block booking legislation will hover over the picture business for some time to come, no matter what happens to the Neely Senate measure or the Pettengill bill in the House.

Impression the trade that Edmiston is friend of Pettengill and that the bill was introduced, since it reads almost word for word like Pettengill's measure, to continue the campaign after the latter retires from Congress. Pettengill, it is understood, will not be a candidate for re-election and introduction of the Edmiston measure was undertaken, it reported, in order that the anti-block booking campaign might be continued.

Edmiston is a newspaper publisher from Weston, W. Va., community of about 9,000 population. The theatre setup there indicates that the bill has no direct relation to exhibitor squawks from that spot. William Pritchard owns both houses Weston. They are the Camden, 640-seat theatre, and the Hollywood, 400-seater.

**Community Service Plea**

Community leaders usually contacted by the 'community service department' of the Motion Picture Producers & Distributors association in last 10 days have received a mimeographed letter from Carl E. Milliken, secretary of organization, explaining faults of Neely anti-block booking bill now up in U. S. Senate.

Communication is a direct denial of claims that moral and artistic quality of pictures will be improved by an act of Congress. Milliken points to educational program carried on through the community service division of the Hays office and through those actively interested in community welfare. All of this was to improve the type of films.

'Your interest and support also greatly strengthen this industry's program,' letter states, 'of self-regulation at the source of production. In making effective the standards of decency and good taste embodied in the production code, this association during the last four years has rendered 20,866 opinions effecting not less than 100,000 changes motion pictures. So successful is this procedure that the previewing committees representing important civic, educational and religious constituencies now approve about 97% of our product.'

Hays office letter also points out that no public hearing was given on the so-called Neely bill (Senate Document 153).

'The bill is intended to regulate the motion picture industry,' it reads, 'for the purpose of improving the quality of motion picture entertainment. If passed in its present form, it would, in the opinion of well - formed leaders in all branches of the business, dislocate the present system of distribution as to cause the most serious financial loss and much total destruction both to distributors and to exhibitors.

'For several years Senator Neely's name has been associated in the press with legislation directed at the control and regulation of the motion picture industry. It is natural therefore that he should hear from all those who think there is anything wrong with motion pictures and that well-meaning, uninformed groups who have been led to believe that Congress improve motion pictures by legislation should send in resolutions.

'Passage of the Neely Bill would mean the disruption and perhaps the complete abandonment of the - operative educational enterprise in which we are mutually interested. This would happen not only because of financial stress requiring the utmost economy on the part of our member companies, but because of discouragement at failure to appreciate the progress that has been made.'

Neely and Pettengill bills were unanimously opposed by the Motion Picture Theatres Owners of Connecticut association resolution passed Monday (4). Resolution explained that action was taken against the Neely bill because members were convinced that it would not accomplish any of the benefits its proponents claim for the measure.

Edward G. Levy, secretary of the Connecticut association, explained that the organization does favor legislation that will rid the industry of certain evils.

# Mrs. Johnson's Spiel With Jungle Films Clicks at Carnegie

New York's staid Carnegie Hall reverted from the musical masters to the less conservative, jungle pastimes of Os (Mrs. Martin) Johnson Friday (1) night in a combination lecture and presentation of the film, 'Jungles Calling.' 'Jungles' includes film taken during their 27 years as jungle explorers, and is presented in memoriam to Martin Johnson, her husband, who was killed last year in a plane crash in which she, too, was injured seriously.

As a film, 'Jungles' is no more than a rehash of what's been shown before. Its billing considerably less worthy than the presence of Mrs. Johnson, who revealed herself as an excellent entertainer and speak .

Film is silent, Mrs. Johnson narrating as it is unspooled.

She will return to Africa at the end of the summer to make another picture on the jungles. Unlike her others, this one will have a story.

# Fox-WC $100,000 Drive For Rogers Fund, Flood Aid

L Angeles, April 5.

Fox-West Coast has set $100,000 goal for the combined drive to be staged by all circuit theatres from April 28 to May 3, to raise funds for the Will Rogers Memorial hospital and the Red Cross flood relief funds.

Decision to combine the two campaigns was reached at a conference attended by Charles P. Skouras, F-WC operating chief; A. P. Waxman, director of the Rogers Memorial theatre week, and A. L. Schafer, Coast manager for the Red Cross.

### LORETTA'S KID SIS IN PIX

Hollywood, April 5.

Court approval has been given Georgianna Belzer, 13-year-old sister of Loretta Young, on her term contract with Selznick-International, start of which will mark her screen debut.

Pact provides for a salary of $75 weekly, which mounts with each option renewal.

# MYERS AND KENT EXCHANGE STRONG CORRESPONDENCE OVER NEELY BILL

## Allied States' Chief Counsel Observes Industry in 'Panic'—Kent Resents Myers' Attack and Reiterates His Industry Welfare

Abram F. Myers, chief counsel for Allied States, last week answered two letters by Sidney R. Kent on the Neely anti-block booking bill as he set forth reasons why his association is for the measure. Letter was preluded by a note which Myers says, 'That Kent should have written two such violent letters is a fair indication of the panic now existing in New York over the Neely bill and other measures looking to a square deal for the exhibitors.'

Myers' reply to Kent states, 'Your action in lending your name to a communication which was wholly out of character led us to believe that you had been selected by your associates in the Motion Picture Producers and Distributors of America, Inc., to act as hatchet man in killing off exhibitor support for the Neely bill.'

Myers avowed that he is against compulsory block booking under which the distributor determines not merely what he shall sell but also what the exhibitor shall buy. He claimed that he was not against selling and buying in wholesale lots so long exhibitors can exercise free and informed discretion. He contended that the Neely bill was the mildest proposal ever offered to cure 'the evil of compulsory block booking.' Myers suggested that Kent offer his proposal as an amendment or substitute for the Neely bill so that the exhibitors can choose between them.

Expressing no great concern either by himself his associates over claims that the bill would disturb or destroy the price structure of the industry because entailing pricing the basis of groups less than the total block, Myers charged that contracts today provide for separate price groups less than the whole block.

**Sez Myers**

'The mai difference,' he said, 'would be that the distributors would have to identify in a binding fashion pictures offered, and this... is the main bone of contention.'

Myers' contention on the matter of synopsis required by the bill is that no foot-by-foot description is needed under the measure. He was inclined to believe that an honest synopsis would preclude prosecution. He even hinted that a workable outline would fill the bill.

On the issue of fines and jail sentences, Myers wrote in part:

'You may be concerned about the provision which says that if the picture delivered is 'substantially different' from the synopsis the exhibitor may cancel the lease as to such film. In no other business in the world can the seller deliver an article other than the one bargained for and require the buyer to accept it. But in the motion picture business the contracts and practices have been skillfully devised to permit of every kind of substitution imaginable. And since this reserved right of substitution fits in so admirably with the vicious system hereinabove mentioned, the distributors cherish it and have opposed any and all suggestions that it be modified or reformed.'

Myers said that distributors were unduly alarmed over the cancellation privilege which might be used by exhibitors under the proposed law. He posed the question of 'where would exhibitors get pictures?' if unreasonable cancellation was employed. Letter closes with a plea for real 'self-regulation.'

**Kent's Rebuttal**

His dander up over the manner in which Allied States Assn. attacked him in its house organ of about two weeks ago, following his published opposition to the Neely bill, S. R. Kent, president of 20th-Fox, wrote Abram F. Myers, Allied leader, one of the strongest letters of his career, under date of March 31, in which he stoutly defended his position and took Myers personally to task without pulling the punches.

Kent wrote Myers personally because he felt the Allied article implied a personal attack upon him and his good faith. His letter said in part:

'It ought to be apparent that in writing to the customers of this company I acted solely in what I believed to be the best interests of 20th Century-Fox and was only incidentally carrying the fight of those who with me believe in the viciousness of the Neely Bill and its harmful effect upon those with investments in the industry.

'I said in my letter of March 10 that the Neely Bill, particularly in its unfair and unworkable synopsis provisions, will prevent the selling of motion pictures before they are finished. Of course, I know that you question that, and a lot of other people who never made a motion picture or wrote a script in their lives are also denying it before the exhibitors of the country, but I repeat it here again. Of course I did not say differently at the hearings, and the portions of my statement quoted in your bulletin do not indicate that I said differently.

'I said then that I preferred the English law to the Neely Bill and that if a bill were passed which prohibited both the distributors and the exhibitors from selling or buying more than one picture at a time, I would not oppose it. I also stated in my letter to the exhibitors that, in my opinion, the Neely Bill was twice as drastic in its results as the English law; so where is the inconsistency or the contradiction? I did in the quoted portions of cross-fire colloquy with Mr. Pettengill point out that the English law on the issues of block booking and morals was fairer to the distributors than the proposed Neely Bill.

'As you know, the English law has nothing to do with selling pictures in groups. It makes it illegal for either the distributor or the exhibitor to contract for a motion picture before it has been tradeshown. You also well know that the English law makes no attempt to go beyond the barring of pictures being sold before they are tradeshown. It does not attempt to interfere with price structure, as the Neely Bill does.

'I well recall that when you were on the Federal Trade Commission and holding the hearing in New York you tried to get that trade meeting to adopt a principle of a 35% differential between what could be paid for picture sold in a group and what could be asked for that same picture individually; this in spite of the fact that evidence has been repeatedly introduced which shows that individual pictures, lik 'The Covered Wagon,' have, on occasions, brought in more film rental for the distributor and more profit for the exhibitor than several other motion pictures, and in some cases almost an entire group. It is my firm belief that you, yourself, are not anxious to kill block booking because you have always tried to preserve the principle of the wholesale price attached to the individual picture. In other words, you want to strangle block booking on one hand but have the benefit of a wholesale price on the other. And I repeat again that as far as I am personally concerned—and I am not speaking for any other company—that if this Bill simply stated that pictures should be sold hereafter one at a time and bought hereafter one at a time, I would not oppose it.

'The reasons I opposed legislation sponsored by your Association under your leadership, such the Brookhart Bill of 1932, were because I thought and still feel such measures to be unworkable, punitive in intent and not in furtherance of the best interest of all those who had investments the industry. They were bills presented to 'ham-string' the producers and distributors, while giving nothing to the independent exhibitors along the line indicated by the sponsors.

'You ask where I have been during the off years—that is apparently between the times your organization pushed such bills as the Brookhart and Neely Bills—indicating that during these off periods I have had no interest whatever in the exhibitor. In the first place, I personally haven't been conscious of any off years for me—at least my health wouldn't indicate it. The people in this business who recognize the facts fairly know that during the past five years I was, during the first three years of the five, busy reorganizing and trying to save the Fox Film Corp., and that a little over two years ago I was busy in effecting its merger with 20th Century. I believe that these years, and also my efforts, were very important to the independent exhibitors, thousands of whom today, Mr. Myers, are dependent upon this company for their source of product. And I believe that getting this company back into line and being instrumental in making a deal which has made it an otustanding quality producer of motion pictures were certainly as important to the independent exhibitors of this country as anything that you have accomplished for them during this same period of time.

'You must be well aware of the fact that no one can write a synopsis of a picture months in advance of its production that you, lawyer, can't attack afterwards as inaccurate. And the Neely Bill does not require, as you argue, under penalties of fine and imprisonment on the wholesale distributor, that he furnish just 'a synopsis,' but rather he must furnish 'the synopsis required by section 4.' That section specifies 'a complete and true synopsis of the contents of such film' including 'an outline of the story, incidents, *and scenes* depicted or to be depicted, and a statement describing the manner of treatment of *dialogs* concerning *and scenes* depicting vice, crime, or suggestive of sexual passion.' You certainly know this as you claim to have helped draft the Bill and once enacted, it is applied by the courts as it is written, as you well know.

'Further, your letter seeks by innuendo to discredit anything that I have ever tried to do for the independent exhibitor and that, because of my opposition to the Neely Bill, I am not entitled to their further confidence. Let me point out to you that I have never made any secret of the fact that I am first a distributor, but that during the 20 years I have been in the industry I do believe I have done a number of things that have been beneficial to the independent exhibitor. I contributed certainly to the improvements in th uniform and standard contracts negotiated over a period of time and I had as much to do with what went into them as you did yourself. I do believe the 20 years that I have been in the industry that I have made a few contributions that have at least not been harmful to the independent exhibitor but, as these were rendered on a no-pay basis, I do not see where you, of all persons, who get paid for your services, have any right to complain and point out a lack of results on my part. I could just as consistently and just as fairly challenge your record of accomplishment throughout all these years, for which you did get paid.

'I have repeatedly pointed out that there is only one thing in this industry that is paramount, and that is good motion pictures. I have never pretended to be a producer, but I do sympathize with the man who has to make motion pictures as I think it is the toughest assignment we have in the industry and at many times the least appreciated.

'I have opposed you because you have attempted to write bills that would strangle production, without having any knowledge whatever of what goes into the making of a motion picture. You have very glibly turned out programs on your typewriter without the least semblance of knowledge of the money and sweat and toil that go into turning out a good box office attraction, and I shall continue to oppose, for whatever my opposition is worth, any legislation prepared by theories to hamstring production that has no more practical viewpoint than your own, but which seeks to write the rules and regulations for the productive end of this business, without which none of us can exist.'

● (Signed) *S. R. Kent.*

# INDIE STUDIO CRAFTS' AUTONOMY CAMPAIGN

Hollywood, April 5.

Independent studio crafts are in an undercover organization move to ward off the encroachment of larger unions and to work with other crafts for the enforcement of producer contracts. Group includes painters, penters, electrical workers, engineer , laborers and those affiliated with building trades.

Biz reps have held secret sessions with a united front, pledged if jurisdiction of any craft is threatened.

### FTC's Sound Tut-Tut

Washington, April

Show-cause order against Sales-on-Sound Corp., New York company specializing in moti picture theatre equipment, issued last week by Federal Trade Commission.

Claims of the company that sound screens it sells are 'flame-proof and of top quality' are untrue, commish alleged. Not only will they burn, but 'there are sound screens used for the same purpose which are of better quality than those sold by the respondent corporation.' FTC tut-tutted. Twenty days given the outfit to answer.

# Hoyts-Snider-Dean Competition Looms for G.U.T., Political Angles

Hobart, Tasmania, March 19.

With Hoyts-Snider-Dean set to start operations here this month, heavier competition looms for Greater Union if it maintains its hold on the boxoffice. G.U.T. for years has had little opposition here. But the big lineup of major product that Hoyts and Snider-Dean will bring in is the tipoff on what Greater Union will have to buck.

Norman B. Rydge and Arthur Gillespie were here recently to check G.U.T. holdings. They expect to have Metro, Paramount, Universal, Republic and Monogram product. Whether Greater Union will be able to keep all this product when old pacts run out probably will not be known until this summer.

Understood that plenty of political pressure was exerted to keep G.U.T. opposition out, but when Hoyts linked with Snider-Dean in National Theatres this effort was halted. Government was told that National was an all-Australian company, whereas Greater Union attack was based on the theory that 20th-Fox dominated the situation because of its finger Hoyts. Charles Munro being handed the laurels for setting up National Theatres to cover any connection with an American film company, which apparently was the chief basis for squawks to politicos.

Hoyts-Snider-Dean will operate only in Hobart and Launceston, key spots.

Auckland, N. Z., March 19.

It's tough going for U.S. distributors here with both the 25% rejection law and restrictions of theatre building in effect. Laws resulted from the plea of exhibitors to the government because, as one exhib expressed it, 'the distributors wanted to grab everything.' Result is that the situation is more comfortable now for local exhibitors, who said that failure to meet high rentals brought threats of building opposition theatres. New Zealand law giving right to reject 25% of product and the restriction against theatre erection resulted because the labor government is strongly in favor of home folks.

No secret matter here that 20th-Fox secured break in the deal executed by Stanley Crick and Walter J. Hutchinson through Moodabes for distribution.

## Latin American Mart, Bullish Last Year, Kayoed by Unrest

Although a drop-off has been felt generally in the market, film supply bi has been particularly hit in South and Central American market in the last month. The Latin country slump is traced to European situation and internal dissensions partly aggravated by martial muddle abroad.

New orders have been trickling in very slowly lately, and this week cancellations started coming in on parts of even that take.

Trend contrasts sharply with the same time last year when S. A. and surroundings were a veritable gold mine for the supply boys. Anything and everything had a market value there after use elsewhere. Suppliers were scouting with trucks picking up everything that was not completely shot. Some of it was rejuvenated, some shipped as was, for the then booming territory, and all got prices.

## Fatality at 'Ali Baba'; Another at 'Snow White'

London, March 30.

Edwin Slaughter, 40, laughed so much at 'Ali Baba Goes to Town' (20th) during its playing at the Davis theatre, Croydon, here, that he died of heart failure.

Similar fatality was reported in the first week of 'Snow White and the Seven Dwarfs' (RKO) at the New Gallery.

## 'Yank' London Click

London, April 5.

Metro's British production 'A Yank at Oxford' bowed locally last Thursday (31).

Robert Taylor film is generally acclaimed.

## Palestine's Barestager To Tour Polish Borscht

Jerusalem, March 24.

Dramatic troupe of the Co-operative Farm, Kvutzah Afikim, on the shores of the Sea of Galilee, has just completed a tour of the other collectives throughout Palestine with its Hebrew version of 'Decline,' by the Russian-Jewish writer Bebel. Play has made such a hit that bookings have been arranged the three big towns, Haifa, Tel Aviv and Jerusalem.

Opener, a couple of months ago, was put by the farmers, who didn't use scenery or costumes, simply depending on 'pure art,' and painted wooden signs.

Orchestra is made up of Jordan Valley settlers who pick oranges by day and some of whom sling rifles on guard duty by night. No question but that a tour of the borscht belt in Poland will follow the round of the three towns.

## British Exhibs Vote to Condemn 'Exposure' of Pix

British exhibitors, 100%, have gone on record and condemned the 'exposure' kind of publicity on films. This is the kind of publicity that reveals the inside technical setup of picture making and destroys the fullness of effect for customers. In instances, distributors and producers, themselves, have been responsible directly for release of such 'exposure' publicity.

The complaint arose through publicity on the screen mechanics of the storm in 'Hurricane,' and the locust plague in 'Good Earth.'

In connection with one of the films involved, a two-reel film had been prepared, revealing the technique used in some of the film's mechanics, but later was shelved and only part of the reel was used for trailerizing in theatres.

## RKO Not Prod. in France

RKO is not going to produce in France, says Phil Reisman, general manager of foreign for the company.

Report from Paris mentioned the RKO-International Film Corp., but this was conceived by a couple of former RKO employes, in Paris, in which the company claims to have no interest nor to be involved in any way.

## FEAR NEW MEX TAXES ON FILMS

Despite efforts being made to smooth troubled waters in Mexico, resulting from government expropriation of oil properties belonging to the U. S. and Great Britain, recent developments are being viewed with real alarm by picture company officials in New York.

Though full details of new taxes and restrictions in Mexico have not been received in New York thus far, reports indicate that wholesale assessment of fees and taxes has been started by the Mex government to raise the coin to pay for oil properties taken. Thought probable that the film industry may bear the brunt of these new assessments.

American distributors have met two wage raises for exchange workers in the last seven months, besides increased taxation. But additional imposts, especially coming now, may create a real problem.

Downward plunge in the value of the Mexican peso in relation to the American dollar has further complicated matters. Unrest in the southern republic, with a chance of real political disturbances, are viewed as anything but good for the picture business in Mexico.

## Nazi-Hungary Legit Deal

Budapest, March 28.

Antal Nemeth, manager of government-backed National Theatre, has returned from Berlin, where he has been discussing next season's mutual theatrical productions. In the coming season there will be performances on a number of German stages of the Hungarian classic, 'Tragedy of Man,' which has already been produced in Vienna, Hamburg and elsewhere. Other Hungarian plays will find their way to the German stage and vice versa.

## U. S. Film Exports in 1937

Washington, April 5.

| | 1937 | | 1936 | |
|---|---|---|---|---|
| | Footage. | Value. | Footage. | Value. |
| Argentina | 17,213,406 | $337,638 | 18,036,629 | $323,271 |
| Australia | 4,632,378 | 116,783 | 4,777,668 | 107,263 |
| Austria | 1,452,730 | 35,792 | 1,861,635 | 38,736 |
| Belgium | 2,047,043 | 61,519 | 2,070,814 | 50,816 |
| Bermuda | 1,520,184 | 30,067 | 1,842,156 | 37,079 |
| Bolivia | 101,475 | 2,333 | 81,295 | 1,163 |
| Brazil | 12,856,031 | 258,330 | 12,731,057 | 251,724 |
| British Malaya | 3,135,290 | 65,417 | 2,843,504 | 60,120 |
| Bulgaria | 415,098 | 9,092 | 695,617 | 12,870 |
| Canada | 6,110,452 | 209,357 | 5,110,480 | 190,372 |
| Chile | 4,514,614 | 202,123 | 2,836,373 | 160,934 |
| China | 890,276 | 14,918 | 429,056 | 23,763 |
| Colombia | 272,980 | 76,114 | 3,411,393 | 77,103 |
| Costa Rica | 456,934 | 6,242 | 439,258 | 5,310 |
| Cuba | 5,801,007 | 115,378 | [illegible],370,519 | 100,580 |
| Czechoslovakia | 1,375,692 | 25,012 | 1,346,244 | 39,336 |
| Denmark | 3,538,450 | 77,631 | 4,331,494 | 87,211 |
| Dominican Republic | 4,508,303 | 13,527 | 2,851,650 | 9,321 |
| Egypt | 1,492,171 | 86,428 | 1,411,828 | 81,436 |
| Estonia | 319,338 | 6,245 | 143,731 | 2,298 |
| Finland | 862,581 | 16,274 | 819,863 | 20,204 |
| Germany | 916,768 | 26,012 | 372,771 | 8,839 |
| France | 7,930,438 | 151,492 | 7,506,664 | 168,035 |
| Greece | 1,063,082 | 35,035 | 1,354,215 | 30,607 |
| Guatemala | 1,131,048 | 17,756 | 1,215,406 | 10,784 |
| Haiti | 201,172 | 1,434 | 308,780 | 2,655 |
| Hungary | 1,118,764 | 27,783 | 1,607,612 | 38,020 |
| India | 5,176,110 | 161,313 | 4,749,400 | 94,879 |
| Iraq | 676,024 | 8,713 | 187,896 | 3,003 |
| Italy | 2,996,928 | 79,641 | 1,273,391 | 27,512 |
| Jamaica | 260,481 | 3,703 | 158,385 | 1,675 |
| Japan | 3,285,669 | 70,171 | 4,846,130 | 90,617 |
| Latvia | 510,605 | 9,456 | 494,433 | 7,954 |
| Mexico | 5,361,673 | 271,331 | 8,820,437 | 283,997 |
| Netherlands | 941,098 | 88,588 | 379,765 | 77,842 |
| Dutch East Indies | 3,282,910 | 60,305 | 2,548,684 | 45,362 |
| New Zealand | 3,675,238 | 71,953 | 4,170,785 | 75,291 |
| Norway | 1,897,810 | 39,656 | 1,550,436 | 30,301 |
| Palestine | 807,257 | 15,201 | 449,709 | 7,869 |
| Panama | 10,123,039 | 127,192 | 6,814,771 | 221,985 |
| Peru | 3,225,114 | [illegible] | 3,206,271 | 54,124 |
| Philippines | 4,262,681 | 88,899 | 3,962,998 | 80,586 |
| Poland | 615,388 | 22,189 | 489,082 | 14,205 |
| Portugal | 1,825,962 | 48,374 | 1,553,560 | 39,418 |
| Roumania | 1,743,356 | 35,616 | 1,849,950 | 307 |
| Russia | 57,579 | 698 | 31,441 | 766 |
| South Africa | 975,184 | 111,856 | 4,445,373 | 86,890 |
| Sweden | 5,903,179 | 108,978 | 4,531,641 | 94,194 |
| Switzerland | 977,017 | 22,684 | 1,186,872 | 22,188 |
| Syria | 412,014 | 6,290 | 531,103 | 5,870 |
| Trinidad | 2,339,740 | 33,721 | 1,372,193 | 20,839 |
| Turkey | 978,712 | 25,635 | 811,122 | 20,770 |
| United Kingdom | 15,123,385 | 395,027 | 16,210,307 | 413,402 |
| Uruguay | 3,396,47[illegible] | 68,095 | 3,632,262 | 53,147 |
| Venezuela | 3,620,2[illegible] | 71,850 | 3,615,701 | 2,230 |
| Yugoslavia | [illegible] | 22,156 | 865,022 | 17,015 |

# Slim Hope of Exhib-Distrib Co-Op On Grading, but Meetings Continue

London, March 30.

High hopes in the industry that distributors and exhibitors might at last get together on a common policy have turned sour as a result of the latest development in the joint conversations on the issue of picture grading. Representatives of the Kinematograph Renters Society and Cinematograph Exhibitors Assn. have met twice the matter, but the end of the second session this week saw a position of virtual stalemate, only the fringe of the problem having been tackled.

Exhibs oppose grading as a device for a further squeeze by distribs, particularly contesting the right of K.R.S. to classify product and determining Class 'A' pictures may only be hired on percentage rates. It impossible, they contend, for distribs accurately to assess what is a super picture and what not, a question which can only be solved one way—at the box office.

Distribs aver that, with exception of borderline cases, it is completely practicable to grade the product, and the process was evolved as much in the interest of the exhibs as of themselves, anyway. To all attempts by C.E.A. to induce modification or withdrawal of the policy, the distribs stiffly declare they will and must adhere to the plan. Faced with such declaration during this week's confab, one prominent exhib is reported as having questioned why they were wasting their time in joint conversations at all.

Highlight of the meeting appears to have been a powerful contribution to the debate by Arthur Jarratt, who as G.-B. booking chief should be in the position to call the tune to some extent, in which he advanced the view that arbitrary grading by the distribs, which put them in a position of dictating what pictures a theatre might play in the same bill, had a detrimental effect on patronage. Obstinacy on the part of K.R.S., he argued, was against the interest of the trade at large.

Both parties are attempting to erect a facade of optimism through joint statements on the progress of discussions, but behind it a gloomy view of the prospect is taken by both sides. Nevertheless, further meetings are tentatively pencilled in, and the full Council of K.R.S. will be meeting today (Wednesday) to consider what useful propositions may still be put forward.

## TWO NEW LONDON PLAYS THIN FARE

London, April 5.

'Moonshine,' Irish comedy by A. G. Thornton, preemed at the Ambassadors last Wednesday (30). Seems hopeless, due to an insufficient story. Gordon Harbord produced the piece in association with W. G. Fay.

'Painted Smile,' first play by William P. Templeton, was presented at the New theatre last Thursday (31). Melodrama seems unlikely. Story is composed of Pagliacci and oher corny ingredients.

Joe Termini, hoke comedy act, with a man and woman in support, clicked here at the Holborn Empire in opening yesterday (4). Sure vaude and night spot bet.

Three Swifts also winners.

## Current London Plays

*(With Dates When Opened)*

'Whiteoaks'—April 14, '36.
'French Without Tears'—Nov. 6.
'Balalaika'—Dec. 22.
'George and Margaret'—Feb. [illegible], '37.
'Black Limelight'—April 22.
'Victoria Regina'—June 21.
'Housemaster'—June 29.
'St. Moritz'—July 31.
'London Rhapsody'—Sept. 1.
'Going Greek'—Sept. 16.
'I Have Been Here Before'—Sept. 22.
'Hide and Seek'—Oct. 14.
'Robert's Wife'—Nov. 2.
'Thank You, Mr. Pepys'—Nov.
'I Killed the Count'—Dec. 10.
'Me and My Girls'—Dec. 16.
'Nine Sharp'—Jan. 26.
'The Three Sisters'—Jan. 28.
'The Island'—Feb. 10.
'Road to Gandahar'—March 24.
'Surprise Item'—Feb. 25.
'Death on the Table'—March 9.
'Plan for a Hostess'—March 10.
'Operette'—March 16.
'Toss of a Coin'—March 17.
'Idiot's Delight'—March 22.
'Floodtide'—March 23.
'Moonshine'—March 3
'Painted Smile'—March 31.

## Gilbert Miller Buys 2 New French Plays

London, March 25.

Gilbert Miller, who recently returned to London from New York, has acquired the rights to two new plays. They are 'Sixieme Etage,' by Alfred Gehri, and 'Le Valet Maitre,' by Paul Armont and Leopold Marshand. Latter work is a big success in Paris, and Miller is going over to see the production, which stars Victor Boucher.

Producer is also planning London production of Frederick Lonsdale's 'Once Is Enough,' but this will not be produced here until after the New York run, because Lonsdale is particularly anxious for Ina Claire to repeat star part in which she is now playing in New York.

Miller brings the London run of 'Victoria Regina' to a close April 9.

## Austro-German Setup Affects Vienna Shows

Vienna, March 26.

Union of Austria with the Reich is having a vital effect on show business here. Coup that made this country a division of Germany and transformed virtually every activity in Vienna, has had immediate repercussions in both the domestic and foreign film fields, in the legit theatre and in the cafe and cabaret busi

American films which were ning before March 11 still are being played. Officially announced that there will be no changes until April 10, when the plebiscite comes. Principal change will be that the German importation law will apply to foreign products, effective as of that date.

Signs bearing the inscription 'N.S.B.O.' ('National Socialist Betrieb-Managing-Organization'), are seen on scores of theatres, cinemas, cafes and other amusement spots. Speed with which the reorganization under the Nazi regime was effected was astonishing to some Americans. Many amusement places closed on the change-over day and all were shuttered the following day because the population was in streets to see the new Austrian ruler. All reopened Feb. 17.

Metro will continue its Vienna bureau, but for distribution only. Headquarters will be in Berlin for both countries. Understood here that Paramount, RKO, 20th-Fox and Columbia will follow much the same procedure. Warner Bros. will liquidate entirely.

Of 328 foreign films coming into Austria last year, 128 came from the U. S. and 120 from Germany. With the German importation law becoming effective April 10, Austrian import and export will cease to exist.

In the legit field, there are several changes. Mirko Jelusitch, author of several books, now runs the State theatre. He closed the Academy because of anti-German plays produced there. In the state opera, Director Kerber remains; Bruno Walter is out. Premiere of 'Cathryn' has been cancelled for the operatic season.

Scala and Momoedie have been amalgamated, with the former tinuing the hit, 'Libel to the Ministry.' Deutsche Volkstheatre has no changes has the Theatre Josefstadt, where the French play, 'Voyage,' in rehearsal. Comic (People's) opera is under National-Socialist management, with the former managers resigned. Hellmers theatre is closed for an indefinite period. Karl Farkas-Adolph Schuetz musical comedy was running there.

## 'Rigoletto' Minus Theda

Rome, March 28.

Charles Brabin and his wife, Theda Bara, are Rome. Brabin will direct 'Rigoletto,' the first production of Vittorio Mussolini's company, ERA film.

Theda Bara will not take part in the production of 'Rigoletto.'

# H'WOOD'S FRENCH HEADACHE

## U. S. Distribs to Ignore NSW Quota; British Law's Dominion Ban Factor

Sydney, April 5.

American distributors showed their intention of disregarding the New South Wales quota law last week when counsel for the Motion Picture Distributors Assn., here, claimed the legislation to be unconstitutional. Constitutionality is being questioned on the grounds that only the central government of Australia has the right to invoke quota regulations.

Odd feature in the latest move by distribs is that the final result is expected to show that state rights supersede those of the federal central government on such an issue. That would toss it back to New South Wales.

But the eventual outcome is that foreign distributors, which means Americans to vast extent, will be made to pay through the nose. Political powers are so intent on having a quota and are so aroused by alleged high-handed methods used by certain U. S. distributors that there seems little doubt that a fully constitutional quota will be passed. Only difference probably will be that American companies will be confronted with a higher percentage. At least that was the threat after the mild 3% law was passed and U. S. distributor reps indicated they might ignore it.

### U. S. Slant

Understood that the attitude of American interests is that the quota law in this state means distributors will be forced to pay out approximately $22,000 per year for what they describe as junky film that would have to be shelved. U. S. officials contend they have to pay enough in taxes through the footage fee. This is at the rate of 14½c per foot of positive film, or in excess of $1,000 for nearly every feature print set for distribution in New South Wales. They point to the absence of any such high taxation on Great Britain's pictures.

Indicated here that the final decision to buck the quota for this state was made when England left the dominion ban in its new quota statute. If this had been removed, American distributors would have been able to take pictures needed to fulfill New South Wales obligations and ship them to the British Isles for distribution, since they would have counted as British quota credits. But with a ban against any dominion pictures sticking, U. S. spokesmen figured Australian-made films as tough to market. Only other alternative would be to make features in Australia. Apparently American companies do not propose this at present.

Peculiarly enough, some Australian film people think U. S. companies will make pictures in Canada for British quota credit, though this obviously is out under the new English regulations.

New South Wales exhibitors believe, now that American companies have assumed the present stubborn stand, that any new quota law will double the present credit percentages and possibly as high as 10%, against 3% present statute.

## REFUSE QUOTA RATING ON 'STRANGER' FILM

London, March 30.

Although made in England, Max Schacht's 'Love From a Stranger' has been refused registration as a British picture, checkup from the Board of Trade. Matter was a long time doubt, due to the employment of American stars and an American director, and it was finally decided the picture was not inside the limits imposed by the 1927 quota act.

Cinematograph Exhibitors Assn. reassuring its members that the B.O.T. will excuse any default quota due to playing the picture as quota footage.

### Foreign Prod. in '37

Washington, April 5.

Producti of foreign motion pictures, as broken down by the U. S. Commerce Department, is accounted for as follows for 1937:

Orient and Far East (959)—Japan, 500; India, 350; China, 52; Philippines, 32; Egypt, 19; Australia, 6.

Europe (760)—England, 225; Germany, 125; France, 123; Russia, 60; Czechoslovakia, 47; Italy, 37; Hungary, 35; Sweden, 25; Poland, 20; Finland, 14; Denmark, 13; Austria, 10; Belgium, 6; Portugal, 6; Norway, 4; Switzerland, 3; Netherlands, 3; Turkey, 2; Latvia, 1; Roumania, 1.

Lati America (90)—Mexico, 52; Argentina, 30; Brazil, 4; Peru, 2; Uruguay, 1; Cuba, 1.

## Ostrers Demand Quick Hearing Of G-B Charges

London, March 30.

Ostrers are impatient at the delay in hearing of the action John Maxwell has against them, in which he charges them with fraudulent misrepresentation in respect of the deal whereby Associated British bought into Gaumont-British. Case was mentioned in the High Court last week, when counsel for Isidore and Mark Ostrer asked that a day be fixed for the hearing. They are anxious it be heard at the earliest possible moment, he said.

It was unfortunate for the Ostrers that the statement of claim had been published announcing his clients had been charged with fraud, Sir Patrick Hastings said. They also appear to be concerned at recent questions in Parliament demanding an inquiry into the affairs of G-B.

For Associated British, Valentine Holmes declared his clients knew nothing of the published statement, and they were not responsible for delay.

Application was ordered to be renewed April 26.

## HICKS FROM RIO TO LONDON; QUOTA O.O.

Desire to get first-hand information on the new Great Britain quota law, just passed, has prompted John W. Hicks, Jr., Paramount foreign sales chief, to go direct from Rio de Janeiro to London without his planned visit in Paris en route. Will arrive in England about April 21. Hicks will go to Paris later after going over the quota situation thoroughly and summing up Par's needs.

Hicks is in Rio presently having arrived last Sunday (3). Stays until April 9 when he ils for London.

## Moss Empires Paid $580,000 Tax Last Year

London, March 30.

Total payment of $580,000 in entertainments tax in the last fiscal year was reported by R. H. Gillespie, managing director of Moss Empires, operating legit touring and variety houses throughout Great Britain. Statement was issued at the annual meeting of shareholders. Sum, said Gillespie, was equivalent to a 20% dividend on the stock.

Since 1916, when the tax was first imposed, the company had paid $18,000,000 over to the national exchequer, he indicated.

## BUT WAR SCARE OFFERS RESPITE

**With International Uncertainty and Unsettled Domestic Conditions, France Is Too Busy to Consider Proposed Law to Crimp U. S. Film Imports—Bill Would Hogtie Native Theatres**

### EUROPEAN CRISES

Paris, March 28.

Threats of a general European war, Hitler's take- of Austria, Polish-Lithuanian rumbles, the hostilities Spain, and France struggling with her internal affairs have American film interests on the continent increasingly worried.

In only one country—France—have the European crises aided the Americans; and that is merely for the time being. France's prime aim at the moment is to find a stable government. Then it will arrange its finances to prepare an armament program designed to clear the external skies. After that a flock of legislation, making it almost impossible for Hollywood to do business in the country, seems likely.

First, but not the most formidable threat, is a hangover from a law passed earlier in the year, but never published in the Journal Official to make it effective. Called the 25% law, it imposes a tax of 25% on houses grossing more than $6,000 a month and not offering stage shows or having a pit orchestra. Also calls for lowering taxes by the same amount for the same category of houses offering stage shows or regularly employing an orchestra.

House operators, distributors and producers got together on this one and threatened to close if it were ever put into force. So far authorities have thought best not to try to enforce it. But the law is still there and has been passed by both the Chamber and Senate, and can be dragged out any time the authorities wish.

American interests, of are still clinging to the Franco-American trade treaty to prevent the passage of such a measure. According to the terms of the treaty signed in 1936 'the French Government will take no new measures which would have the effect of placing American films in a position, in comparison with French films or those of any other foreign country, less favorable than that which they now enjoy.'

Peculiar as it seems, it is on all of these measures that the threatening conditions in Europe and internal differences are helping the Yanks. As long as the attention of the Gauls is taken up with the international crisis, the attempt to bury party differences and find stable national government capable of discovering a cure for the country's financial ills, all of these lesser problems must be shelved. How long it will be before the domestic and foreign ski clear is hard to say. But therein the Yanks have a breather. Any they may be able to bring enough pressure to bear in the meantime to prevent the eventual passage of such measures.

## Mexico's B. O. Off 25%; Expropriation, Lent, Etc.

Mexico City, April 5.

General situation, including the oil question, combined with Lent, has dropped cinema and other show biz here 25% from what it was this time last year. Legit is not so much affected becaus it doesn't do much trade anyway, but it's not so good for the cinemas.

Government sponsored grand opera by an all-Mexican company is doing fairly well at the Palace of Fine Arts (National Theatre).

## New Quota Law Will Boost Cost Of U. S. Biz in England 40%-50%, Quickie Flood as Old Act Expires

While the picture industry won some of the vital points for which it was fighting in the new Great Britain quota law finally made effective last week, wording of new 10-year statute as interpreted in New York this week will force U. S. distributors to pay 40% to 50% more for the privilege of doing business in England.

Preliminary summary indicates that the eight major companies will have to pay $5,000,000 to $5,500,000 the first year for quota credit pictures. For all American companies the quota cost will be close to $7,000,000. Estimate includes provisions for all three-for- stipulations, 50% regulations and other clauses.

Bill for the average major company, distributing 50 features in England, will be about $750,000 the first year of new quota law. Distributor shipping 40 features into Great Britain the first year would have to pay approximately $600,000.

One immediate effect of new law will be that many companies will cut down on small-grossers going into England. This will possibly trim the annual number of films received by British distributors so that the company planning on making 50 or 52 features in the 1938-39 season ight send only 40 to the British Isles.

Majors which distributed 55 to 60 features in England during the final year of the old quota law paid $300,000 to $480,000 for quota credit product. Other companies, which bought up films for $7,000 and $10,000 each, had much to lay out. It is these latter distributors who will feel the greatest pressure, since quota credit picture can be obtained for much under $75,000.

Final consideration of the quota measure resulted in the restoration of the 15% clause for distributors, instead of 20% for the first year. Percentage goes up to 20% after March 31, 1939. This was favorable for American companies.

Failure to eliminate the ban dominion production was adverse to U. S. distributors, who otherwise might have included pictures made in Australia and Canada for quota credit.

Viewing committee provision was eliminated. This was considered by both American and British interests as a bad feature, since it would have permitted the committee to turn thumbs down on a quota film after it had been completed and all provisions had been fulfilled.

Reciprocity theory was incorporated in mild form. U. S. company could include a feature made by a British company as a credit production if $100,000 is paid for the right to distribute outside Great Britain. Where three credits are desired this can be obtained by paying $150,000 for the right to handle a British-made film. Presumably several companies such as United Artists, Universal, Warner Bros. and 20th-Fox, with tieups with British producers, will take advantage of these regulations for part of their quota product.

Three-for-one credit, which gives a distributor three quota film credits for a feature costing $375,000 (law says $187,500 for labor costs), will encourage one high-class production made in England by American companies per year.

The 50% proviso as to how distributors may divide up their credits has been interpreted by New York industry officials as meaning that only half of credit features can be secured by any three-for-one or foreign distribution of British films provision. Two-for-one credit clause also was left in. This works much the same as the three-for-one, cept that it applies to a production costing $225,000.

Though no definite plans were announced after the fi l wording of the quota law was known, Warner Bros. at Teddington studios; 20th-Fox, with the Bob Kane producing unit; Metro, Universal and United Artists undoubtedly will make three or more features annually in England, U's production would be via General Films and U.A. through Alexander Korda.

London, Mar 22.

Original quota act is passing out in a flood of quickies, many of w ich will only to satisfy per ntages demanded of distribs. By the end of this month, trade will have previewed about 40 British films—all within four weeks.

Decline in British production and failure of some product plans left some U. S. companies, specifically Columbia, short of the compulsory footage. Hence they bought up everything available regardless of quality. Much of it has o commercial value as far exhibitors are concerned. Tipoff shortage of pictures made in England was large number of pictures shown from Australia, Canada and other parts of the British Empire, obviously shipped in to figure in quota footage.

## Budapest Legit Feels Vienna's Politico Upset

Budapest, March 20.

Next to the stock exchange, theatres have proved to be the most sensitive instruments reacting to the agitation in the political atmosphere in connection with Austria's Anschluss with Germany. A number of new plays that started out as successes drooped and wilted after the third performance, long before signs of depression could be noticed any other field. The first thing people cut out in times of unrest seems to be theatre-going.

Pictures don't appear to feel this trend nearly as much. This is partly due to curiosity about newsreels and partly to the fact that after listening to harrowing news and dramatic harangues over the radio, it's a relief to look at a picture in a neighborhood cinema.

Hungarian playwrights feel pressure of historic times on their own skins in more ways than one. Vienna, heretofore one of the best markets for Hungarian plays, seems practically lost to all but German authors. An example is 'Dramatic School,' play by the Magyar 'Aryan,' author Zoltan Egyed, which had its world premiere in Vienna's Scala Theatre three days before the big change. Scala closed down at once and will reopen under new management with a German play.

## Beery in Budapest, But Censors Ban 'Brimstone'

Budapest, March 28.

Metro's 'Bad Man of Brimstone' was intended for the first 'Hollywood premiere' Budapest. Wallace Beery is staying here with his wife and daughter, so the local M-G-M branch intended to make use of the occasion and stage a big opening with personal appearance, guests invited to gala night, and all the rest of trappings.

Invitations and big-scale newspaper publicity had to be revoked when the censor board vetoed 'Brimstone.' Reason given is that crime pictures are not desirable. 'Dead End' also has been banned by censors.

## RAWHIDE

**(WITH SONGS)**

20th Century-Fox release of Sol Lesser production. Stars Smith Ballew and Lou Gehrig; features Evalyn Knapp, Arthur Loft and Si Jenks. Directed by Ray Taylor. Story, Dan Jarrett; adaptation, Jarrett and Jack Natteford; editor, Robert Crandall; photography, Allen Q. Thompson. Running time, 60 mins.

| | |
|---|---|
| Larry Kimball | Smith Ballew |
| Lou Gehrig | Lou Gehrig |
| Peggy Gehrig | Evalyn Knapp |
| Ed Saunders | Arthur Loft |
| Rascomb | Carl Stockdale |
| Pop Mason | Si Jenks |
| Sheriff Kale | Cy Kendall |
| McDonnell | Lafe McKee |
| Butch | Dick Curtis |
| Gillam | Cecil Kellog |
| Biff | Slim Whitaker |
| Rudy | Tom Foreman |
| Pete | Cliff Parkinson |
| Rusty | Harry Tenbrook |
| Johnson | Lee Shumway |
| Fuller | Ed Cassidy |

Not only is 'Rawhide' a fast-moving, well-produced mesa meller in Sol Lesser's series starring Smith Ballew, but it has the added box office distinction of including Lou Gehrig, hard-hitting batsman of the New York Yankees, in its cast. The baseball star is more than window-dressing for the picture, having a very prominent part in Lesser's latest ranchland drama and, if exploited properly, he should help make this one of the top money-getters of the season.

Gehrig, not just posed as most 'freak' outsiders are when put into pictures, can act and, should his baseball career come to an end, he might develop into a Bill Boyd or Buck Jones type. Photographing well, he has both the personality and the voice to insure the stamp of approval by producers as well as audiences. He's the accepted westerns type.

Lesser has made good use of a competently-prepared scenario by Dan Jarrett and Jack Natteford, latter an old hand at writing cow-country melodrama, and around the Ballew-Gehrig combination assembled a cast of quality, including Evalyn Knapp, Arthur Loft, Si Jenks, Cy Kendall, Carl Stockdale and Lafe McKee. The story opens with Gehrig leaving New York and baseball forever to settle down on a peaceful little ranch with his sister.

Action and novelty are derived from situations which place the ball player the midst of racketeers who, through a cattlemen's protective association, are forcing costly tribute from ranchers. In the various forays which figure, one of the most exciting and unique action scenes is the free-for-all fight in a pool parlor where Gehrig, employing ballfield technique, starts pitching billiard balls against the opposition. In another case he bats a ball through a window to upset the signing of a contract when the pen is ready to do its stuff.

Protecting Gehrig from any love infection, the romantic interest centers between his sister (Miss Knapp) and Ballew, latter as a local lawyer who is fighting sagebrush racketeers against great odds. Ballew does most of the singing. There are four numbers, three of them of cowboy flavor, the other, 'That Old Washboard Band' by a novelty orchestra employed in a barbecue scene. Ballew engagingly sings 'When a Cowboy Goes to Town,' best of the numbers; 'Drifting,' another solo, and, with chorus of cowpunchers, 'A Cowboy's Life.' The photography, by Allen Q. Thompson, is unusually good. *Char.*

## Judge Hardy's Children

Metro production and release. Features Lewis Stone, Mickey Rooney, Cecilia Parker, Fay Holden. Directed by George B. Seitz. Screenplay by Kay Van Riper; based on character created by Aurania Rouverol; score, David Snell; editor, Ben Lewis; camera, Lester White. Previewed in Projection Room, N. Y., April 1, '38. Running time, 102 mins.

| | |
|---|---|
| Judge James Hardy | Lewis Stone |
| Andrew Hardy | Mickey Rooney |
| Marian Hardy | Cecilia Parker |
| Mrs. Hardy | Fay Holden |
| Aunt Milly | Betty Ross Clarke |
| Polly Benedict | Ann Rutherford |
| Wayne Trenton | Robert Whitney |
| Suzanne Cortot | Jacqueline Laurent |
| Margaret Lee | Ruth Hussey |
| John Lee | Jonathan Hale |
| Miss Budge | Janet Beecher |
| Steve Prentiss | Leonard Penn |

Third in the Judge Hardy Family series, the latest chapter promises to outdo others in appeal. Picture is assured of plenty of pesos at the box office. It possesses distinct appeal for younger generation, will touch the risibilities and at the same time the film's story cashes in on timely subject of utilities controversy and obstreperous tendencies of today's youth.

Latest lovable adventure for Hardy family takes them to Washington where they're involved in a utility company lobbying plot. With the T.V.A. in today's headlines and recent Supreme Court decision on utility holding companies, this possibly strengthens usual homelike story. Predecessors in this comedy-drama group doubtlessly will bolster what the cast lacks in big names. George B. Seitz follows the same successful formula he employed in directing previous vehicles in this series.

While 'Judge Hardy's Children' is the usual fine Lewis Stone character portrayal, as the barrister, film furnishes the maximum of humorous incidents as the impetuous Andy Hardy (Mickey Rooney) wrestles with his initial puppy love affair and first tuxedo, and the older sister is weaned away from her town heart by the influence of Washington's society.

Picture contains several nicely defined characterizations and marks a new advance in the ascent of Rooney, whose boyish enthusiasm dominates countless scenes. In fact, it is his chance to remark concerning how he handles 'his wimmin' that enables the judge to duck the blackmailing plot and retain his seat on the bench. Production is initial American picture appearance for Jacqueline Laurent, the French girl signatured by Louis B. Mayer abroad, as Mickey Rooney's French sweetheart (appears as daughter of the French ambassador).

Though the plot takes the Hardys to the nation's capital for the judge to sit in on an important utilities decisions, producers seldom deviate from homey episodes such as the daughter's romance and stupidity in enmeshing her father in a potential scandal and the kid love affairs of the boyish son.

Scene in which Rooney decides to enliven a staid dancing party by introducing the 'Big Apple' will wow 'em through its sheer enthusiasm and vigorous performance. In contrast to this uproarious episode, the theme that young America should not ape rabble - rousers when squelched by constituted authority is shot home with inordinate skill.

Lewis Stone, who has done numerous similar roles, surpasses himhelf here as Judge Hardy. Rooney, as the energetic youth who can't resist kissing pretty girls, comes close to thefting the picture. Miss Parker is something more than Cecilia Parker in the role of the pretty but dumb daughter. Fay Holden, as Mrs. Hardy, furnishes a stolid portrayal.

Jacqueline Laurent, newcomer, is adeptly naive as the French schoolgirl who falls for Rooney's 'quaint' Americanese ways. Shows promise on first time out in U. S. Betty Ross Clarke is subordinated as the aunt in the Hardy group though comely and competent. Ann Rutherford is okay in part of Rooney's town flame. Robert Whitney, as the Hardy daughter's sweetheart, does not impress. Ruth Hussey, as the beauteous villainess, Jonathan Hale and Leonard Penn are sufficient in support.

Kay Van Riper's screenplay, based on Aurania Rouverol's characters, is trim scripting further helped by Ben Lewis' film editing. Her dialog is homey and pertinent.

Adequate production values have been supplied, with Washington backgrounds purportedly made especially for this film. George B. Seitz' direction not only is even but alert to every potentiality. Lester White's photography measures up to picture's calibre. *Wear.*

## HE COULDN'T SAY NO

Warner Bros. production and release. Features Frank McHugh, Jane Wyman, Cora Witherspoon. Directed by Lew Seiler. Screenplay by Robertson White, Joseph Schrank, Ben Grauman Kohn, from story by Norman Matson; camera, Arthur Todd. At Paramount, Brooklyn, week March 31, '38. Running time, 57 mins.

| | |
|---|---|
| Lambert Hunkins | Frank McHugh |
| Violet C | Jane Wyman |
| Mrs. Coney | Cora Witherspoon |
| Iris Mabby | Diana Lewis |
| Senator Mabby | Berton Churchill |
| Oxnard O. Parsons | Ferris Taylor |
| Sing | William Haade |
| Dimples | Tom Kennedy |
| Hymie | Raymond Hatton |
| The Man-On-The-Street | John Ridgely |
| Musgrave | Chester Clute |
| Auctioneer | Cliff Clark |
| Julia Becker | Rita Gould |

Farce patently produced for lower-level billing in the duals, where it'll serve as o.k. if undistinguished support to stouter product and win enough laughs to pay its freight.

Frank McHugh, Warners' vet standby of a broad-humor comedy horse, carries about all the burden of the acting and story on his shoulders. And they're stout enough. He's cast as a dreamy, restless linoleum firm office clerk with a tedious girl friend (Jane Wyman) and even more harassed by her obnoxious mother (Cora Witherspoon).

Chap is almost pushed into matrimony by the mother when he gets an unexpected salary tilt. Forced to go to an auction to purchase furniture, eccentric fellow goes daft over a statue of a near-nude and blows his skimpy bankroll on it. Gal and ma upraid and leave him. Piece is then discovered to have been modeled by daughter (Diana Lewis) of rich Senator (Berton Churchill). Chap declines cash offer of 30 times as much as statue cost. Gangsters try stealing statue to blackmail Senator, but McHugh thwarts them and windup finds the dreamy boy's fondest dream coming true in a clinch.

McHugh squeezes every situation to a drip in extracting last possibility of humor found in role and script. When all else fails, he muggs his way through. Diana Lewis, femme lead, has her first choice celluloid part and manages o.k., though doesn't evince any particularly stunning promise. Cora Witherspoon, as the dour mother, turns in a smart performance. Jane Wyman is acceptable as her daughter; Berton Churchill is standard as the Senator.

Direction kept the pace brisk and the punch scenes in scoring positions. Script a little on the lightweight side, in view of the scarcity of slick lines. Camera very good. *Bert.*

## Miniature Reviews

**'Rawhide'** (20th). Excellent western with name of Lou Gehrig, baseball star, as b.o. bait.

**'Judge Hardy's Children'** (MG). Third of Judge Hardy family comedy-dramas, this looks like strong b.o. dish.

**'He Couldn't Say No'** (WB). Modest farce for the duals.

**'Port of Missing Girls'** (Mono). Inferior actioner with Harry Carey and Judith Allen.

**'Heroes of the Alamo'** (Col). Very poorly made historical drama of Texas. Only for smaller duals.

## SPEED REPORTER

Reliable Pictures release of Bernard B. Ray production. Stars Richard Talmadge; features Luana Walters, Richard Cramer, Earl Dwire. Directed by B. B. Ray. Story, Henri Samuels; screenplay, Rose Gordon; camera, Bill Hyer; editor, Carl Himm. At Varsity, Lincoln, Dual. Running time, 50 mins.

| | |
|---|---|
| Dick Lawrence | Richard Talmadge |
| May | Luana Walters |
| Brad Franklin | Richard Cramer |
| Stanley | Bob Walker |
| Roger Renfrew | Frank Crane |
| John Parker | Earle Dwire |
| Madison | John Ince |
| Blackie Smith | George Chesebro |
| Edwards | Edward Cassidy |

Probably the worst of the thousand or so film libels on the newspaper biz, is this quickie, 'Speed Reporter.' News scavengering was hardly ever like this, and it makes phoney film material.

Top personality, Richard Talmadge, speaks with a broken tongue and gets garbled up his delivery on several of the one-take scenes. Girl is Luana Walters, who manages to get along all right in a way. Has looks and a certain amount of s.a., but she'll never get anywhere in these pictures. Rest of the cast is the familiar western crowd, which have been barroom backgrounding for years.

Story is about a reporter's attempt to crack a sham reform league and he does it with a water pistol. Last 15 minutes of the reelage is mostly fight, for what little action there is.

For the also-ran section in the ads for a dual. *Barn.*

## Port of Missing Girls

**(WITH SONGS)**

Monogram release of Lon Young production. Features Harry Carey, Judith Allen, Milburn Stone, Betty Compson. Directed by Karl Brown. Screenplay, Karl Brown; camera, W. C. Smith. At Globe, N. Y., dual, week April 2, '38. Running time, 68 mins.

| | |
|---|---|
| Della | Judith Allen |
| Jim | Milburn Stone |
| Capt. Storm | Harry Carey |
| Chicago | Betty Compson |
| Duke | Matty Fain |
| Minnie | Jane Jones |
| Clinton | George Cleveland |
| Manoel | William Costello |
| Sonya | Sandra Karina |
| Granville | Lyle Moraine |

Bad story, inferior production, which manages to inject action, romance and some comedy, besides some singing, without any degree of continuity or coherency. For duals where customers aren't particular. Harry Carey carries the load. Judith Allen is the heart interest and singer. Her voice is light. Milburn Stone is the hero.

He's a wireless operator on Carey's freighter, on which Miss Allen has stowed away at Frisco, order to escape a gang of murderers and the police. After that there's a jam with pirates in Shanghai and some consular trouble besides. But in the end everything comes out okay. The Frisco police that Miss Allen isn't wanted for murder after all; the real killer has confessed.

Carey is supposed to be a tough captain, but his [illegible] make him out a sissy. That's the kind of dialog used here.

Camera work doesn't matter. Nor does it matter much if it isn't the same ship seen throughout. *Shan.*

## Heroes of the Alamo

Columbia production and release. Directed by Harry Fraser. Story and adaptation, Roby Wentz; film editor, Arthur A. Brooks; photography, Robert Cline. At Central, N. Y., dual bill, week April 1, '38. Running time, 74 mins.

| | |
|---|---|
| Davy Crockett | Lane Chandler |
| Stephen Austin | Earl Hodgins |
| Anne Dickinson | Ruth Findlay |
| James | Roger Williams |
| Sam Houston | Edward Piel |
| William B. Travis | Rex Lease |
| Almerian Dickinson | Bruce Warren |
| Gen. Santa Ana | Julian Rivero |

Sincere in purpose but lacking in every other respect, 'Heroes of the Alamo' is one of the most amateurish production efforts of a decade. It is likely to get a first-class run-around among exhibitors and a horse-laugh from audiences. On only the least important of bills can it be chanced as a No. 2 feature, although in Texas, where local sentiment and historical regard may figure, it may be received with some indulgence. Elsewhere, a strong No. 1 picture is urged.

Long on running time, 74 minutes, and short on action as well as dramatic punch, the story of the massacre at Alamo which highlighted early incidents in the fight for independence of Texas, is a sadly mediocre effort by Roby Wentz. Dialog lacks vigor and the direction by Harry Fraser nowhere covers up this shortcoming.

The battle scenes are unintentional laughs, especially when cannon are fired, although the massacre, within the Alamo fortress, of every man trying to withstand large numbers of opposing Mexicans, is carried out rather impressively. It was the lone woman within the Alamo walls, spared by the Mexicans, who is reputed to have made the famous remark to Col. Sam Houston, 'Remember the Alamo.' It is on this that the picture fades out.

The woman, wife of a soldier killed in the battle of the Alamo, is played by Ruth Findlay. She is not an interesting type nor does she screen effectively. In any competition for acting honors she, also, would be far out of it. Bruce Warren, as her husband, outdistances her completely, being the rugged kind of frontiersman who fits his assignment well. Others are Lane Chandler, as the famous Davy Crocket; Edward Piel as Col. Houston; Rex Lease of westerns as the commander of the Alamo troupe and Julian Rivero, doing the Mexican general, Santa Ana.

Albeit history is mirrored in 'Heroes of the Alamo,' it is unfortunate such interesting history could not have been done better. *Char.*

## LENIN IN OCTOBER

**(RUSSIAN MADE)**

Amkino release of Mosfilm production. Features Boris V. Shchukin. Directed by Mikhail Romm. Screen play, A. Kapler; camera, Boris Volchek; music, A. Alexandrov. At Cameo, N. Y., week March 31, '38. Running time, 92 mins. Cast: Boris V. Shchukin as V. I. Lenin, N. Svobodin, V. Vladislavski, N. Arski, K. Korobova, I. Lagutin, N. Chapligin, E. M. Shatrova, V. V. Vanin, N. Sokolov, N. P. Okhlopkov, V. A. Pokrovski.

*(In Russian, with English Titles)*

'Lenin in October' could be Lenin at any other time and still be a highly interesting production. Ranks with 'Gulliver' and other Red films as one of the finest productions to emanate from the Soviet film factories. Treatment belies the impression that Moscow produces naught but soap-boxes, film being an accurate historical chronology. Could well be listed among action-romances but for labeled origin. It's a good super-artie, with possibilities elsewhere.

English titles don't let audiences down, dealing out reams of comedy, suspense, drama and assorted histrionics. Comedy heretofore has been a rarity in Soviet output. Shchukin's characterization of Lenin is an excellent performance.

## Kicking the Moon Around

**(BRITISH MADE)**

**(WITH SONGS)**

London, March 30.

General Film Distributors release of Vogue Film Production. Features Ambrose and his orchestra, Evelyn Dall, Harry Richman, Florence Desmond. Directed by Walter Forde. Screenplay, Michael Hogan, Angus MacPhail, Roland Pertwee, H. Fowler-Mears; from original story by Tom Geraghty; songs, Michael Carr, Jimmy Kennedy; camera, Francis Carver. At Cambridge, London. Running time, 78 mins.

| | |
|---|---|
| Ambrose | Himself |
| Pepper Martin | Evelyn Dall |
| Harry Richman | Himself |
| Flo Hadley | Florence Desmond |
| Bobbie Hawkes | Hal Thompson |
| Mark Brown | Denier Warren |
| Herbert Stoker | Julian Vedey |
| Gus | Max Bacon |
| Streamline | Les Carew |
| Magistrate | Dave Burnaby |
| P. C. Truscott | George Carney |

Musical compares favorably with American song and dance shows, and, while not competing with the vocal and instrumental American films in the matter of production, is more than adequate in that respect. It far exceeds many American rivals in the matter of entertainment.

One thing, and one thing alone, is responsible. It is the first instance within memory that a British musical enjoyed the advantage of 'going to press' with suitably prepared script. Even the local dramatic stories haven't had the attention which this one undoubtedly received. There was an original author, four experts worked on the screen play, and two song writers contributed the musical numbers. With four specialty stars, artistic settings and an adequately selected working staff, director Walter Forde must have found it a pleasure to conduct the proceedings.

Almost at the beginning Harry Richman does a number, and exceptional recording is apparent. Photography is equally good. This one may not have any special drawing powers in the preliminary advertising, but should entertain American filmgoers. Here it will undoubtedly have a huge draw.

Summary of the 'story' would sound about as interesting as the average children's fairy tale, but the handling of its unfoldment, with its comedy twists, developing into farce and culminating in burlesque, is delightful. Exceptional cast feeds the stellar principals.

Evelyn Dall has the Cinderella lead, which gives her the most sympathetic opportunities, but Florence Desmond, England's premiere mimic, plays a villainess who plots the downfall of Cindy. Ambrose and his orchestra are their usual selves, and Harry Richman sings, prances and spins in and out in his own inimitable fashion. Legitimate excuses are found for the perpetration of the specialties.

Maybe the British film producers have awakened to the fact that script writing is important even in a musical—or maybe it was just an accident. *Jolo.*

## RACING BLOOD

**(WITH SONGS)**

Conn Pictures release of Maurice A. Conn production. Features Frankie Darro, Kane Richmond, Gladys Blake, Arthur Housman, Jimmie Eagles. Directed by Rex Hale. Story, Peter B. Kyne; adaptation, Stephen Norris; songs, Connie Lee and Tommy Reilly; editor, Martin G. Cohn; photography, Robert Doran, William Hyer and Jack Greenhalgh. At Central, N. Y., dual, week April 1, '38. Running time, 61 mins.

| | |
|---|---|
| Frankie Reynolds | Frankie Darro |
| Clay Harrison | Kane Richmond |
| Phyllis Reynolds | Gladys Blake |
| Legs | Arthur Housman |
| Smokey Reynolds | Jimmie Eagles |
| Tex O'Donnell | Mathew Betz |
| Dopey | Si Wills |
| Sad Sam | Snowflake |
| Magnus | Bob Tansill |
| Colored Singers | Jones Quintette |

Short on wind, lacking speed and showing no visual signs of stamina, 'Racing Blood,' a story of a galloping bangtail, anything but thoroughbred. Being nothing more than a scrub, it does not figure in 'A,' 'B,' 'C' or 'D' handicap competition. A quickie that has been turned out with the use of stock backgrounds, apparently at little cost, the best that it can hope for is to run far behind some other feature dated as the No. 1 choice on brace bills.

Produced independently by Maurice Conn, for release on the state rights market, it is one of the shoddiest programmers made in recent years. Conn has done much better in the past. Even though he may have been economizing on cost in this instance, he may have been seriously handicapped also by a story which hits a new high in fictional liberties and a new low in dialog. Despite the Peter B. Kyne original, the adaptation leaves nothing to be proud about. In the direction, Rex Hale has things happening which will take audiences dangerously close to an uncalled-for laugh.

Frankie Darro is again playing a jockey but what the story puts him through is remindful of what over-enthusiastic fishermen tell when they return from piscatorial conquests. Starting out all wrong with the kid taking over a crippled colt that is about to be destroyed by a racing stable, the story goes on to other incredible lengths in knocking out a 61-minute feature. The kid is kidnapped but escapes against insuperable odds, his fistic prowess being something that would have scared Dempsey in his prime. Then, after being injured by a shot in the chest, he steals an ambulance he is being carted away in and, rushing to the racetrack, makes it within a split second of the start of the race he is to ride. The horse supposed to have been scratched by now but that conveniently is forgotten about. Also, against all rules, there is no weighing in, no parading before going to the post or anything—maybe not even any bets in view of the fact the nag is supposed to be scratched.

Darro has a weak cast with him, including Kane Richmond, who shares billing with him above others. Richmond, stable owner, is paired for romantic interest with the jock's sister, done feebly by Gladys Blake. Best of others include Jimmie Eagles, Arthur Housman, Si Wills and Mathew Betz, the last-mentioned a racketeering heavy. Housman does a stew all the way fairly well.

Cast name given Snowflake, colored stable groom, is Sad Sam. Snowflake and the Jones Quintet, also colored, sing the two special numbers written for the picture, furnishing their own accompaniment. Songs are 'Lucky Shoes' and 'You're So Appealing.' Neither means anything. *Char.*

## La Tendre Ennemie

**('The Tender Enemy')**

**(FRENCH MADE)**

World Pictures release of Max Ophuls production. Features Simone Berriau. Directed by Ophuls. Screenplay, Ophuls, Kurt Alexander; from play, 'L'Ennemie,' by A. P. Antoine; music, Albert Wolff; camera, Eugene Schufftan, Lucien Colas. At 55th St. Playhouse, N. Y., week March 30, '38. Running time, 66 mins.

| | |
|---|---|
| Annette Dupont | Simone Berriau |
| Daughter | Jacqueline Daix |
| Mother | Catherine Fonteney |
| Husband | Georges Vitray |
| Rodrigo | Marc Valbel |
| The Sweetheart | Lucien Nat |
| Uncle Emile | Pierre Finaly |
| The Fiancee | Maurice Devienne |

*(In French, with English Titles)*

Story is sacrificed for camera angles, and consequently Max Ophuls hasn't a good enough picture here for general consumption. It's weak even for the arties. Supposedly psychological satire, this story of woman with three lovers could have been made into a very funny picture. However, the makers instead dulged in fancy camera stuff and double exposures to carry the tale, and it hasn't worked out so well.

The lovers have died, and the woman has a growing daughter who is about to be wed to a man she doesn't love. So the lovers return to earth in order to prevent the daughter from making the mistake her mother once had made, too. And, of course, they are successful. The girl's real heart arrives hidden in a plane and carries her off.

The producers haven't done a good job at casting, either. Much of the acting is unprofessional. Simone Berriau as the woman in the case tops the cast. The others are so-so. *Shan.*

## Lovers and Luggers

**(AUSTRALIAN MADE)**

Sydney, March 21.

British Empire Films release of Cinesound production. Stars Lloyd Hughes. Features Shirley Ann Richards, James Raglan, Elaine Hamill, Sydney Wheeler, Alec Kellaway, Ronald Whelan. Directed by Ken G. Hall. Screenplay, Frank Harvey, from novel by Gurney Slade; camera, Frank Hurley and George Heath; art direction, Eric Thompson. At State, Sydney. Running time, 99 mins.

| | |
|---|---|
| Daubeney Carshott | Lloyd Hughes |
| Lorna | Shirley Ann Richards |
| Craig | James Raglan |
| Stella Raff | Elaine Hamill |
| Captain Quid | Sydney Wheeler |
| McTavish | Alec Kellaway |
| Mendoza | Ronald Whelan |
| Archie | Campbell Copelin |
| Dormer | Leslie Victor |
| Lotus | Marcelle Marney |
| Kishimuni | Charlie Chan |

'Lovers and Luggers' is definitely another local click to the credit of Ken G. Hall. Spotted into the right houses it should return a nice profit to Cinesound, and if the British quota is not unkind should have little difficulty in securing excellent dates throughout the British Isles.

America is a different proposition, but buyers may be found ready to spot the pic on a dual in territory away from Broadway. Lloyd Hughes' name isn't likely to sell the production to Americans and otherwise the marquee has nothing to offer in the way of performers known abroad.

Cinesound has spent a lot of hard cash in an attempt to burst into the foreign market. Pic has class, plus expert direction and contains some of the finest under-water sequences ever witnessed upon the screen. Out of town the pic has done remarkable trade, but it looks as though a mistake has been made in spotting it into the State, where not one local has ever made the big gross grade.

Ken Hall's direction italicizes the romance and suspense. Lloyd Hughes is a disappointment. Much was expected of him, but the pic is stolen by James Raglan, Sydney Wheeler and Alec Kellaway, who present acting worthy of Hollywood's best. Shirley Ann Richards runs off with the femme honors over Elaine Hamill, who is far too wooden.

Gurney Slade's yarn has been deftly handled by Frank Harvey and tells a story of a celebrated pianist, who, is satisfy a woman's whim, leaves the concert platform to go pearl diving in far-off Thursday Island. From a slow beginning, the pic moves swiftly along under Hall's direction to a smash climax. Atmospheric shots are pips and put the film into the top class. Camera work is excellent and Eric Thompson's sets are splendid. Whole production is a credit to Cinesound and Ken Hall.

*Rick.*

## Princess Tarakanova

**(FRENCH AND ITALIAN MADE)**

Produced by the Tarakanova Film Assn. at the Cinecitta Film Studios. Stars Annie Vernay, Pierre Richard Wilm; features Roger Karl, Suzy Prim, Memo Benassi, Antonio Centa. Directed by Fedor Ozep. Assistant director in charge of Italian version, Mario Soldati. Adapted by Soldati and Companez; camera, Terzano and Courant; sets, Andre Andreiv; music, Antonio Veretti.

*(In Italian)*

Story centers about the historical character, Princess Tarakanova, who was a pretender to the throne of Catherine the Great of Russia, and about whom all the elements opposed to Catherine's reign gathered. But the princess was more interested in love than in politics, and when Count Orloff was sent to Venice by Catherine to bring her back to Russia, the princess fell in love with him and he with her. Then the film makes a decided departure from historical truth (according to which the princess died alone in prison) to let the hero and the heroine go to the gallows together.

Neither the story nor the acting of Annie Vernay and Pierre Richard Wilm is particularly startling; main appeal of pic is its spectacular quality. Andreiv's sets are striking, and there are beautiful baroque Venetian interiors, as well as magnificent outdoor scenes taken in the great San Marco Square, before the Ducal Palace of Venice, and on the Grand Canal.

*Heln.*

## Children Must Laugh

**(POLISH MADE)**

David Dubinsky and B. Charney Vladeck release of Medem Committee documentary film. Directed by Dr. Alexander Ford. Scenario, Jacob Pat; music, H. Kon; narration, A. L. Alexander. At Continental, N. Y., March 23, '38. Running time, 61 mins.

*(In Yiddish, with English Titles and Comment)*

Documentary film made in Poland is an eloquent testimonial to the work done for children of poverty-stricken Jewish families in the Vladimir Medem Sanitarium. It's an interesting film with considerable fine photography and fine song. Showing is on a commercial basis with the theatre. Proceeds, however, which revert to sponsors, David Dubinsky or the International Ladies Garment Workers Union, and B. Charney Vladeck, N. Y. City Councilman and Yiddish newspaper publisher, go for the Medem Committee to further the work of the sanitarium.

Film is prefaced by explanation of the sanitarium's history and work by Dubinsky and Vladeck. Document reveals the medieval squalor of life in Polish ghettos and then contrasts the healthy life provided by the sanitarium. Institution is named for the Polish Jewish labor leader, Vladimir Medem, who died in exile in the United States. Showing of the film was barred Poland by the censors.

Children remain in the san. from three to 12 months and 7,500 have been so treated the last few years. This is only a partial fulfillment of the possible job to be done as it is estimated some 75,000 children in Poland are suffering from possible tubercular trouble. In the course of the film it's stated that any child once here will work for a better world, which seems an unquestionable truth.

Besides its interest to the restricted clientele which the film will have, it should be of interest to Hollywood scouts for the natural comedy of at least one child actor. The cast is perforce anonymous.

## NUMBER 111

**(HUNGARIAN MADE)**

Danubia release of Muveszfilm production. Star, Maria Lazar, Jeno Torzs, Paul Javor. Story and screenplay by Jeno Heltai. Directed by Stephen Szekely; music, Denes Buday; camera, Istvan Eiben. At Modern, N. Y., week April 1, '38. Running time, 80 mins.

| | |
|---|---|
| Olga | Maria Lazar |
| Vera | Maria Lazar |
| Joe Selfridge | Jeno Torzs |
| Baron Vajk | Paul Javor |
| Mr. Arnett | Julius Csortos |
| Mabel | Marica Gervay |
| Baranyai | Gabor Rajnay |

*(In Hungarian; No English Titles)*

Billed as the first Hungarian mystery picture, this film seems more melodramatic than mysterious. It seems to derive its mystery only from the fact that one of the principals is a magician whose activities form the basis of the plot. Although the acting is satisfactory, film is hardly for the American market, excepting, of course, local Magyar-speaking folk.

Synopsis reveals it as dealing in a rather complicated manner with the affections of the magician, his assistant and an impoverished nobleman. Latter has previously mistreated the deceased sister of the magician's assistant. Efforts of the hocus-pocus artist to match up the baron with an American heiress and split the dowry are thwarted when the affections of the nobleman and the actress prevail.

As the central character, Jeno Torz is convincing as a Svengali type who not only performs but practices hypnotism, ventriloquism and other forms of charlatanry. The voice throwing from one room to another is somewhat beyond any performer's power, but for the sake of fantasy it's okay in a film of this sort. Maria Lazar, doubling as the assistant and later as her sister, is reasonably attractive and has a pleasing voice. Marica Gervay as the American heiress is also pleasing, but most glamorous in appearance is a rather dark-skinned and unnamed extra who appears in several shots taken at the gambling tables in the casino. From the woman's angle, film also has interest, as clothes worn are in several cases quite striking.

## Il Trionfo Dell'amore

**('Triumph of Love')**

**(ITALIAN MADE)**

Cine Lux release of a Romulus production. Directed by Mario Mattoli. Story, Gherardo Gherardi; screen play, A. De Benedetti, Mario Mattoli; cameraman, Arturo Gallea. At Teatro Cine Roma, N. Y., March 26, '38. Running time, 70 mins.

| | |
|---|---|
| Vincenzo | Vittorio De Sica |
| Giovanna | Paola Barbara |
| Doctor | Armando Migliari |
| Aunt Lucia | Giuditta Rissone |
| Giangiacomo | Enrico Viarisio |

*(In Italian; No English Titles)*

Excepting a few situations and laughs, this Italian comedy has very little for those other than the Italian-speaking peoples. Laughs are plentiful for those in the know, but are derived strictly from the dialog. For its Italian followers it should do well enough.

Production is cheaply made, since cast is small and settings few. Lacks action, but makes up in the apparently smart comedy and acting. It's plenty draggy, though, because of the talk. Cameraing is okay, but lighting is sometimes bad.

Enrico Viarisio, playing the third party on honeymoon of his friend, given plenty of meaty lines, and tops performances. Mannerisms and gift for expression helps him romp through film. Others capable enough.

Although recently married, Vittorio de Sica and Paola Barbara think themselves mismated and plan an annulment while honeymooning at an aunt's villa. Aunty has a romance, too, but doesn't want her stable local, but is writing around instead for a fairy tale Romeo. Finally matters ironed out, youngsters finding themselves.

Mildly hotcha bedroom scene with honeymooners, train flirtation between Viarisio and bride when former does not know she is pal's missus, garage explosion while trying to start an old car are amusing while singing by de Sica is pleasant and entertaining. Presence of many blondes in film gives impression that most of Italy's lighter-hued were conscripted.

## Loves of Mme. Du Barry

**('I Give My Heart')**

**(BRITISH MADE)**

**(WITH SONGS)**

J. H. Hoffberg release of British International production, 'I Give My Heart.' Stars Gitta Alpar; features Owen Nares. Directed by Marcel Varnel. Screenplay, Paul Knepler, J. M. Welleminsky; adapted from opera, 'The Du Barry'; adaptation and scenario, Frank Launder, Roger Burford, Kurt Siodmak; camera, Claude Friese-Greene. At Squire, N. Y., week April 1, '38. Running time, 90 mins.

| | |
|---|---|
| Jeanne | Gitta Alpar |
| Rene | Patrick Waddington |
| Louis XV | Owen Nares |
| Count Du Barry | Arthur Margetson |
| Marechale | Margaret Bannerman |
| Choiseul | Hugh Miller |
| DeBrissac | Gibb McLaughlin |
| Margot | Iris Ashley |
| Cascal | Hay Petrie |

Showing Du Barry as an inmate of a house of ill-repute is enough to kill the picture's chances in the American market. That scene kills the romantic side of the picture, chief allure of the film, which, otherwise, would be only a middlin' arty candidate.

Gitta Alpar's pretty voice is over-amplified. Her figure is too full and her accent is too Teutonic to suit a Du Barry. Owen Nares, as Louis XV, is curiously dispassionate. Miss Alpar does well enough, under the circumstances. Margaret Bannerman is as placid and charming Marechale, and Arthur Margetson somewhat too precise and matter of fact as Count Du Barry. As for the rest of the cast, some of the acting is good, some n.s.g.

The story, of course, is familiar. Some mob stuff in the picture could pass for action. The settings seem opulent, but are not splendorous.

The story begins with Du Barry as a young milliner and traces her rise through her affair with Rene, a young writer of verses; that of Count Du Barry, and, finally, as mistress of Louis XV. The picture was produced in England in 1935; premiered at the Regal, London, Oct. 25, 1935, but first time in America.

As the files record, British producers at that time inclined to employ German artists in French roles. However, Miss Alpar had created the role on the Continent, which may explain her picture part.

There is no explaining why the original title has been changed from 'I Give My Heart' to 'The Loves of Mme. Du Barry.' On the screen the lead title carries the original tag.

*Shan.*

## Legions D'Honneur

**('Legions of Honor')**

**(FRENCH MADE)**

Paris, March 28.

Societe d'Edition et de Location de Films release of S.P.L.H. production. Stars Abel Jacquin; features Charles Vanel, Marie Bell, Pierre Renoir. Directed by Maurice Gleize. Screenplay by Jean-Jose Frappa, from story by Jean Makis; music, Henri Tomasi; camera, Matras and Claude Renoir. At Cinema Colisee, Paris. Running time, 95 mins.

Cast: Abel Jacquin, Charles Vanel, Marie Bell, Pierre Renoir, Pierre Magnier, George Prieur, Jacques Baumer, Jean Perier, Camille Bert, Jim Gerald, Tony Murcie, Milly Mathis.

*(In French)*

This year's winner of the Grand Prix du Cinema Francais may deserve the award in its own country, but it could never pick up any medals on the outside. Pic is entirely for French consumption; it glorifies the work of the French in the Sahara Desert, praises the French soldiers individually and collectively—all to prove that a French soldier is always a man.

Story opens with the trial of a lieutenant in the colonial army, Abel Jacquin. Accused of shooting himself in the hand to avoid having to return to service after he has been on sick leave following injury in battle. He refuses to defend himself against the charge. He is convicted and relieved of his commission. He re-enlists the colonials as a private, and writes to Pierre Renoir, the lawyer who defended him, the real story of how he was shot in the hand. This is handled as a flashback and occupies much of the film's footage.

As told in this flashback, Jacquin and his captain, Charles Vanel, are wounded in the same battle. Jacquin goes with Vanel to his ranch in southern France to recuperate. Realizing he is in love with Vanel's wife, Marie Bell, Jacquin decides to leave before the affair progresses any further. Night before he is to depart, however, she offers herself to him and he refuses. He is about to leave when Vanel returns and almost catches them together. He shoots the fleeing Jacquin in the hand, without knowing who he is.

Pic returns to Renoir's office, where he reads the final lines of the letter—that he is to deliver a love message to Marie Bell personally. He investigates Jacquin, and finds he has been killed in another fracas with the Riffs.

Although the plot is thin, the story is well directed and, with enough military glorification deleted, it might get by as a straight pic. There are yards of desert shots, most of them excellent, but entirely too long. In the battle in which the two are wounded, similarity of costumes and the distance from the camera makes it impossible to tell which are the French and which are Riffs.

Abel Jacquin makes an excellent soldier and officer, but during the courtroom scene, when he is supposed to be a soldier true to his captain and the woman he loves, he looks more like a guilty criminal. Charles Vanel does a first-rate job as the desert-hardened captain who loves outdoor life more than his wife. Marie Bell, as the troubled wife, wins sympathy. Pierre Renoir has a small part, but handles it competently.

*Hugo.*

## DR. EPAMEINONDAS

**(WITH SONGS)**

**(GREEK MADE)**

Phanhellenic Film release of Bellua Free production. Stars Parazkeua Oikonomou. Directed by Togo Mizrahi. Story by Mizrahi. At Miami, N. Y., week April 1, '38. Running time, 90 mins.

| | |
|---|---|
| Epameinondas | Parazkeua Oikonomou |
| Alkaterina | D. Panagiotidou |
| Dr. Helmes | Aggelon Bromnon |
| Zaharios | Dianellon |
| Kakia | Marika Kalovta |
| Anna | Anna Kalouta |
| P. Kakia | Tzlnimeu |

*(In Greek; No English Titles)*

Broad farce comedy with Parazkeua Oikonomou, reputed to be best comedian in Greece, is commendable entertainment for Greek-language audiences. Because comparatively fast moved for Greek comedy producers and lacking flaws of previous efforts from this group, picture looks like box office in the field for which intended. Absence of English titles means it will be a blank for non-Greek audiences.

Doctor Epameinondas unfolds fable of struggling worker who fakes being an interpreter in order to secure a job in a hotel. His affable manner wins him the task of substituting for a distinguished physician, on vacation in Cairo. Assisted by a prank-playing valet, former aide to the doctor, the interpreter carries on the masquerade on the physician's payroll while the real doctor enjoys his rest undisturbed.

Bulk of the antics by this pair are extremely broad, but aided by laugh-evoking dialog. As is often the case when foreign film-makers try farce, they either go for ribald action or stationary sequences in which the principals stand and spout words. Wordage in many instances here is the saving grace, producing a procession of guffaws.

Parazkeua Oikonomou, as the unpronounceable-name interpreter and phoney doctor, is the whole film. Dianellon, as the valet, makes a suitable foil, but it is the former's mimicking that holds proceedings together. Marika Kalovta and Anna Kalouta, as sisters who fall love with the boys only to discover the deception, are attractive and vivacious, though not often flattered by the camera, excepting in the bathing scenes.

Several bright photographic touches, but the producers obtain terrible effects with of their outdoor shooting.

*Wear.*

## Le Mensonge de Nina Petrovna

**('Lie of Nina Petrovna')**

**(FRENCH MADE)**

Lenauer release of Solar Film production by J. Konigfest. Stars Fernand Gravet and Isa Miranda. Directed by V. Tourjansky. Screen play, Hans Szekely and T. H. Robert; dialog, Henri Jeanson; camera, Curt Courant; music, Michel Levine and Joe Hajos. At Filmarte, N. Y., March 30, '38. Running time, 81 mins.

| | |
|---|---|
| Lieutenant Franz Korff | Fernand Gravet |
| Nina Petrovna | Isa Miranda |
| Baron Engern | Aime Clariond |
| Baroness Engern | Gabrielle Dorziat |
| Lisl | Annie Vernay |
| Lotte | Paulette Dubost |
| Tony | Roland Toutain |
| Young man | Raymond Galle |
| Officer | Paul Olivier |

*(In French; English Titles)*

Presence of the already familiar Fernand Gravet and Isa Miranda should help this finely produced importation. Much of the clever dialog is lost the French tongue, despite excellent titling which retains much of the sparkle. Although average American audiences do not go for this type of romantic intrigue of strictly Continental flavor, the basic love motivation and presence of two known looker-performers should help. It will definitely please the arty audiences and it does give an insight into a future here for the girl.

Miss Miranda, an Italian, is completely at home with the Gallic gab. She is also very definitely the Italian Dietrich, la the bally. Very dramatic and emotional, her appeal should be realized when she masters English.

Film has plenty of humorous moments and at same time is frequently highly melodramatic. But wherever Gravet appears it is wholly enjoyable for he is completely at home in his native tongue and turns in a performance that outshines his Yank efforts.

Director Tourjansky maintains speedy pace despite his somewhat too Europeany yarn and in surrounding his materials and stars with worthy support, particularly Aime Clariond of the Comedie Francaise. For that matter entire production is rather ambitious and lacks customary skimpiness often encountered in importations. Paulette Dubost and Roland Toutain as comic relief lovers also stand out.

## LES GENS DU VOYAGE

**('People Who Travel')**

**(FRENCH MADE)**

Paris, March 29.

[illegible] Tobis production and release. Stars Francoise Rosay; features Andre Brule, Fabien Loris, Marie Glory. Directed by Jacques Feyder. Screenplay, Jacques Feyder and Jacques Viot; dialog, Bernard Zimmer; [illegible]. At the Marignan, Paris. Running time, [illegible] mins.

| | |
|---|---|
| Flora | Francoise Rosay |
| Fernand | Andre Brule |
| Marcel | Fabien Loris |
| Pepita | Marie Glory |
| Yvonne | Sylvia Bataille |
| Suzanne | Louise Carletti |
| Barlay | Guillaume de Sax |
| Officer | [illegible] |

*(In French)*

Winding its way through numerable complexities, 'Les Gens du Voyage' covers almost every phase possible in the life of circus performers. More than two hours are filled with the trials and misfortunes of the nomads as they wander through the world. In fact, so numerous are the complicated hardships portrayed that boredom unavoidably the impression.

Story centers around Flora, the lady lion tamer, played by Francoise Rosay. A tough unwielding old trooper who fears no , she controls all that goes on around her. Pic starts with the arrival of her former lover, Fernand (Andre Brule) who has just escaped from prison. On his promise not to reveal his identity as the father of her son she hires him as an animal keeper. He works his way up to publicity manager of the circus, returns to his old way of life to keep member of his old gang from revealing his whereabouts to police. He leaves the circus, but is finally turned over to the police by one of the performers.

Another plot deals with love affair of Flora's son, Marcel (Fabien Loris) and the daughter of the circus owner, Yvonne (Sylvia Bataille). On discovery of their affair her father, Barlay (Guillaume de Sax) sends her away to school. There she faints during dancing lessons revealing she is to become a mother. Rather than face her father she runs away and runs into the circus accidentally some months later. Flora takes her and cares for her.

Marcel, unable to understand the departure of Yvonne, goes to Paris with another performer, Pepita (Marie Glory). He lives with her until Fernand tells him that Yvonne is with his mother. Marcel leaves for the circus and Pepita turns Fernand over to the police for taking her lover away. Marcel arrives at the circus the night the baby born. Same day, Yvonne's sister, Suzanne (Louise Carletti) tells her father that Yvonne is in Flora's wagon. But the arrival of the baby stalls off parential wrath and everybody is happy.

Casting is unusually good, Francoise Rosay portraying masterfully the role of an old girl who has seen everything but can still weep when one-of-her lions dies. Andre Brule, as her weak lover, looks and acts the second rate thief to perfection. Fabien Loris could not be called handsome, but he fits his part excellently. Marie Glory scores as the coquettish trick rider who uses her charms to make things easier in life. Sylvia Bataille is short on the looks side but good interpretation puts her over. Guillaume de Sax is more than sufficient in the role of owner and manager. Louise Carletti is obviously older than her role calls for, but that is insignificant compared to her ability and looks. She is on her way to big things.

Good interpretation and direction is all that saves the film. Had the roles not been well enough played to establish definite characters in the mind there would be no hope of straightening out the maze of plots and subplots entwining through the pic. In its present form there is too much in the pic, too many things going on at the same time.

Here it will have no trouble, but its fate America would depend entirely an exploitation. There is an abundance of good acting and material but it is not presented in a way that would appeal to Americans. Further it would need cleaning for the censors.

*Hugo.*

## OROK TITOK

**('Eternal Secret')**

**(HUNGARIAN MADE)**

Budapest, March 23.

[illegible]

*(In Hungarian)*

Eucharistic Congress about to take place in Budapest and the expected visit of large groups of devout [illegible] to Hungary has [illegible] the impulse for making this picture. Story centers around the [illegible] the Confessional and ends with the triumph of the true Christian spirit. 'Eternal Secret' was made with the cooperation of the Congress [illegible]

(Continued on page 22)

# Nation's Sweetheart!

# 16 NEW HOLDOVERS ALREADY SET FOR BETTE DAVIS IN "JEZEBEL"

*Credit where Credit is due!*

BETTE DAVIS
in "JEZEBEL" with
HENRY FONDA • GEO. BRENT
MARGARET LINDSAY • DONALD CRISP • FAY BAINTER • Richard Cromwell
Henry O'Neill • Spring Byington • John Litel
*A WILLIAM WYLER PROD'N*
Screen Play by Clements Ripley, Abem Finkel & John Huston • From the Play by Owen Davis, Sr.
Music by Max Steiner

Warner Bros.
Producers!

# FILM BOOKING CHART

*(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)*

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| WEEK OF RELEASE | TITLE | PRODUCER | DISTRIB. | TYPE | TALENT | DIRECTOR | TIME MINS. | WHEN REVIEWED BY VARIETY |
|---|---|---|---|---|---|---|---|---|
| 1/21/38 | SQUADRON OF HONOR | Ralph Cohn | Col | Meller | M. Russell-T. Hall | C. C. Coleman | 55 | 1/26 |
| | MANNEQUIN | Joe Manckiewicz | MGM | Rom-Dr | J. Crawford-S. Tracy | Frank Borzage | 92 | 12/22 |
| | THRILL OF A LIFETIME | Miss Fanchon | Par | Musical | J. Canova-Yacht Club Boys | G. Archainbaud | 72 | 11/10 |
| | MAMMA RUNS WILD | Ralph Staub | Rep | Comedy | M. Boland-E. Truex | Ralph Staub | 67 | 1/5 |
| | CHARLIE CHAN AT MONTE CARLO | John Stone | 20th | Mystery | W. Oland-V. Field | Eugene Forde | 71 | 12/22 |
| | BORDERTOWN (REISSUE) | Robt. Lord | WB | Drama | P. Muni-B. Davis | Archie Mayo | 89 | 1/29/35 |
| | A STRANGE HONEYMOON | Bryan Foy | WB | Drama | B. Karloff-M. Wilson | John Farrow | | |
| 1/28/38 | PARADISE FOR THREE | S. Zimbalist | MGM | Comedy | F. Morgan-F. Rice-R. Young | Eddie Buzzell | 75 | 1/19 |
| | PARTNERS OF PLAINS | Harry Sherman | Par | Western | W. Boyd-Gwen Gaze | Les Selander | 70 | 2/16 |
| | THE PURPLE VIGILANTES | Sol C. Siegel | Rep | Western | Three Mesquiteers | George Sherman | 58 | 2/2 |
| | THE OLD BARN DANCE | Sol C. Siegel | Rep | Western | Gene Autry-S. Burnette | Joseph Kane | 60 | 1/12 |
| | HAPPY LANDING | D. Hempstead | 20th | Musical | S. Henie-D. Ameche | Roy Del Ruth | 102 | 1/26 |
| | BLACK DOLL | Irving Starr | U | Mystery | N. Grey-D. Woods-E. Kennedy | O. H. P. Garrett | 60 | 2/9 |
| | SWING YOUR LADY | Sam Bischoff | WB | Comedy | H. Bogart-L. Fazenda | Ray Enright | 72 | 1/26 |
| 2/4/38 | WIFE OF GENERAL LING | John Stafford | GB | Drama | G. Jones-A. Renn | Ladislaus Vajda | 71 | 2/23 |
| | SPIRIT OF YOUTH | Lew Golder | GN | Action | Joe Louis-C. Muse-E. M. Harris | Harry Fraser | 66 | 1/5 |
| | EVERYBODY SING | Harry Rapf | MGM | Musical | F. Brice-A. Jones-J. Garland | E. L. Marin | 80 | 1/26 |
| | WHERE WEST BEGINS | Maurice Conn | Mono | Western | J. Randall | J. P. McGowan | 56 | 3/23 |
| | THE BUCCANEER | C. B. de Mille | Par | Drama | F. March-F. Gaal-A. Tamiroff | C. B. de Mille | 124 | 1/12 |
| | DOUBLE DANGER | Maury Cohen | RKO | Meller | P. Foster-W. Bourne-D. Meek | Lew Landers | 62 | 2/16 |
| | OUTSIDE OF PARADISE | Harry Sauber | Rep | Comedy | P. Regan-P. Singleton | John H. Auer | 68 | 2/16 |
| | INTERNATIONAL SETTLEMENT | 20th | 20th | Drama | C. Romero-V. Field-J. Lang | E. Forde | 75 | 1/26 |
| | GOLDWYN FOLLIES | S. Goldwyn | UA | Musical | E. Bergen-Zorina-A. Menjou | Geo. Marshall | 115 | 2/2 |
| | MIDNIGHT INTRUDER | Trem Carr | U | Meller | B. Reed-L. Hayward | I. Lubin | 66 | 2/23 |
| | BLONDES AT WORK | Bryan Foy | WB | Comedy | B. MacLane-G. Farrell | F. McDonald | 63 | 3/16 |
| 2/11/38 | LITTLE MISS ROUGHNECK | W. MacDonald | Col | Com-Rom | E. Fellows-L. Carrillo | Aubrey Scotto | 64 | 3/9 |
| | CATTLE RAIDERS | H. L. Decker | Col | Western | C. Starrett-D. Grayson | Sam Nelson | | |
| | OF HUMAN HEARTS | J. Considine, Jr. | MGM | Drama | W. Huston-B. Bondi | Clarence Brown | 100 | 2/9 |
| | MY OLD KENTUCKY HOME | E. B. Derr | Mono | Com-Dr | E. Venable-G. Richards | L. Hillyer | 72 | 2/9 |
| | SCANDAL STREET | Par | Par | Comedy | L. Ayres-L. Campbell | James Hogan | 63 | 2/9 |
| | HAVING WONDERFUL TIME | P. S. Berman | RKO | Comedy | G. Rogers-R. Skelton | Al Santell | | |
| | CHECKERS | John Stone | 20th | Rom-Com | J. Withers-S. Erwin-U. Merkel | H.B.Humberstone | 79 | 12/8 |
| | ADVENTURES OF TOM SAWYER | D. O. Selznick | UA | Com-Dr | T. Kelly-M. Robson | Norman Taurog | 93 | 2/16 |
| | FORBIDDEN VALLEY | Henry Macrae | U | Outdoor | N. Beery, Jr.-R. Barrat | W. Gittens | 68 | 4/30 |
| | KID COMES BACK | Bryan Foy | WB | Drama | W. Morris-J. Travis | B. R. Eason | 61 | 12/29 |
| | DAREDEVIL DRIVERS | Bryan Foy | WB | Action | D. Purcell-B. Roberts | B. R. Eason | 60 | 3/2 |
| 2/18/38 | WIDE OPEN FACES | David Loew | Col | Comedy | Joe E. Brown-J. Wyman | Kurt Newman | | |
| | THE GIRL WAS YOUNG | GB | GB | Com-Dr | N. Pilbeam-D. DeMarney | Alf Hitchcock | 84 | 12/8 |
| | A YANK AT OXFORD | Michael Balcon | MGM | Comedy | R. Taylor-L. Barrymore | Jack Conway | 100 | 2/2 |
| | PAINTED TRAIL | Robert Emmett | Mono | Western | Tom Keene | Robert Hill | 50 | |
| | BIG BROADCAST '38 | H. Thompson | Par | Musical | W. C. Fields-Raye-Lamour | Mitch Leisen | 88 | 2/9 |
| | BRINGING UP BABY | Cliff Reid | RKO | Rom-Com | K. Hepburn-C. Grant | Howard Hawks | 102 | 2/16 |
| | BARONESS AND BUTLER | Ray Griffith | 20th | Rom-Dr | Annabella-Wm. Powell | Walter Lang | 75 | 2/16 |
| | GOLD IS WHERE YOU FIND IT | Sam Bischoff | WB | Outdoor | G. Brent-C. Rains-J. Litel | M. Curtiz | 90 | 2/16 |
| 2/25/38 | WHO KILLED GAIL PRESTON? | Ralph Cohn | Col | Mystery | W. Cahoon-D. Terry | Leon Barsha | 60 | 3/9 |
| | ARSENE LUPIN RETURNS | John W. Considine | MGM | Meller | M. Douglas-W. William | G. Fitzmaurice | 82 | 2/23 |
| | PORT OF MISSING GIRLS | Lon Young | Mono | Drama | J. Allen-M. Stone | Karl Brown | 60 | |
| | CASSIDY OF BAR 20 | Harry Sherman | Par | Western | W. Boyd-N. Lane | Les Selander | 60 | 3/30 |
| | NIGHT SPOT | Robt. Sisk | RKO | Com-Dr | Parkyakarkus-A. Lane | Christy Cabanne | 60 | 3/30 |
| | HOLLYWOOD STADIUM MYSTERY | A. Schaefer | Rep | Meller | N. Hamilton-E. Venable | David Howard | 66 | 3/2 |
| | LOVE ON A BUDGET | Max Golden | 20th | Comedy | J. Prouty-S. Byington | Bert Lenny | 60 | |
| | STORM IN A TEACUP | A. Korda | UA | Comedy | V. Leigh-R. Harrison | Victor Saville | 88 | 9/9 |
| | PENROD AND TWIN BROTHER | Bryan Foy | WB | Com-Dr | Mauch Twins | Wm. McGann | 62 | 1/12 |
| 3/4/38 | ROLLING CARAVANS | Col | Col | Western | J. Luden-E. Stewart | Jos. Levering | | |
| | START CHEERING | Nat Perrin | Col | Musical | W. Connolly-Durante-J. Perry | A. S. Rogell | 78 | 2/9 |
| | TO THE VICTOR | Maurice Ostrer | GB | Rom-Dr | W. Fyffe-J. Loder-M. Lockwood | Robt. Stevenson | | |
| | MERRILY WE LIVE | Hal Roach | MGM | Comedy | C. Bennett-B. Burke-P. Kelly | N. Z. McLeod | 96 | 3/2 |
| | ROMANCE IN DARK | Harlan Thompson | Par | Musical | G. Swarthout-J. Boles | H. C. Potter | 77 | 2/16 |
| | MAID'S NIGHT OFF | Robert Sisk | RKO | Rom-Dr | A. Lane-J. Fontaine | Ben Holmes | 60 | |
| | PRISON NURSE | Herman Schlom | Rep | Meller | H. Wilcoxon-M. Marsh | James Cruze | 67 | 3/9 |
| | SALLY, IRENE AND MARY | Gene Markey | 20th | Musical | A. Faye-F. Allen-J. Lang | Wm. Seiter | 86 | 3/2 |
| | ADVENTURES MARCO POLO | Sam Goldwyn | UA | Drama | G. Cooper-B. Rathbone | Norman Taurog | 100 | 2/16 |
| | MAD ABOUT MUSIC | J. Pasternak | U | Musical | D. Durbin-H. Marshall | Norman Taurog | 98 | 3/2 |
| | SLIGHT CASE OF MURDER | Sam Bischoff | WB | Meller | E. G. Robinson-J. Bryan | Lloyd Bacon | 85 | 2/9 |
| 3/11/38 | MAKING THE HEADLINES | Col | Col | Rom-Dr | J. Holt-B. Roberts | Lewis D. Collins | 66 | 3/23 |
| | THE FIRST HUNDRED YEARS | Norman Krasna | MGM | Com-Dr | R. Montgomery-V. Bruce | Dick Thorpe | 75 | 3/16 |
| | ROSE OF RIO GRANDE | Dorothy Reid | Mono | Rom-Dr | Movita-John Carroll | Wm. Nigh | 60 | |
| | DANGEROUS TO KNOW | Par | Par | Meller | G. Patrick-A. M. Wong | Robert Florey | 68 | 3/16 |
| | HAWAII CALLS | Sol Lesser | RKO | Rom-Com | B. Breen-I. S. Cobb | Edward Cline | 72 | 3/2 |
| | CALL THE MESQUITEERS | Wm. Berke | Rep | Western | 3 Mesquiteers | John English | 55 | 3/2 |
| | WALKING DOWN BROADWAY | Sol Wurtzel | 20th | Com-Dr | C. Trevor-P. Brooks | N. Foster | 75 | 2/2 |
| | CRIME OF DR. HALLET | Ed Grainger | U | Mystery | R. Bellamy-B. Read | Sylvan Simon | 65 | 3/16 |
| | LOVE, HONOR AND BEHAVE | Lou Edelman | WB | Com-Dr | W. Morris-P. Lane | Stanley Logan | 68 | 2/16 |
| 3/18/38 | SAILING ALONG | GB | GB | Musical | J. Matthews-J. Whiting | Sonnie Hale | 94 | 2/9 |
| | GIRL OF GOLDEN WEST | Wm. A. McGuire | MGM | Musical | J. MacDonald-N. Eddy | R. Z. Leonard | 120 | 3/16 |
| | BULLDOG DRUMMOND'S PERIL | Par | Par | Mystery | J. Barrymore-L. Campbell | Jas. Hogan | 66 | |
| | CONDEMNED WOMEN | Robert Sisk | RKO | Drama | S. Eilers-L. Hayward | Lew Landers | 77 | 3/9 |
| | KING OF NEWSBOYS | V. Morehouse | Rep | Rom-Dr | L. Ayres-H. Mack | V. Morehouse | 68 | 3/30 |
| | REBECCA OF SUNNYBROOK FARM | Ray Griffith | 20th | Rom-Com | S. Temple-R. Scott | Norman Foster | 80 | 3/9 |
| | THE GAIETY GIRLS | A. Korda | UA | Musical | J. Hulbert-P. Elli | T. Freeland | 72 | 3/2 |
| | NIGHT CLUB HOSTESS | W. Mycroft | U | Rom-Dr | B. Rogers-J. Clyde | Graham Cutts | | |
| | STATE POLICE | Trem Carr | U | Action | J. King-C. Moore | John Rawlins | | |
| | HE COULDN'T SAY NO | Bryan Foy | WB | Comedy | F. McHugh-J. Wyman | Lew Seiler | | |
| 3/25/38 | LONE WOLF IN PARIS | W. MacDonald | Col | Mystery | F. Lederer-F. Drake | Al S. Rogell | | |
| | JUDGE HARDY'S CHILDREN | MGM | MGM | Com-Dr. | L. Stone-M. Rooney-C. Parker | Geo. Seitz | 102 | 4/6 |
| | ARSON GANGBUSTERS | Herman Schlom | Rep | Meller | J. LaRue-B. Livingston | Joe Kane | | |
| | MR. MOTO TAKES CHANCE | Sol Wurtzel | 20th | Mystery | L. Lorre-R. Hudson | Norman Foster | 60 | |
| | JEZEBEL | Henry Blanke | WB | Drama | B. Davis-H. Fonda-G. Brent | Wm. Wyler | 100 | 3/16 |
| 4/1/38 | WHEN G-MEN STEP IN | W. MacDonald | Col | Meller | D. Terry-R. Paige-J. Wells | C. C. Coleman, Jr. | 60 | 3/16 |
| | FLOATING CITY | Erich Pommer | GB | Drama | L. Fenton-C. Veidt | Karl Hartl | | |
| | LAND OF FIGHTING MEN | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Alan James | | |
| | TIP-OFF GIRLS | Par | Par | Meller | L. Nolan-M. Carlisle-R. Karns | Louis King | 60 | 3/23 |
| | OUTLAWS OF SONORA | Wm. Berke | Rep | Western | 3 Mesquiteers-J. Joyce | Geo. Sherman | | |
| | JOSETTE | Gene Markey | 20th | Musical | S. Simon-D. Ameche-B. Lahr | Allan Dwan | | |
| | GOODBYE, BROADWAY | Ed Grainger | U | Com-Rom | C. Winninger-A. Brady-T. Brown | Ray McCarey | 65 | |
| | ISLAND IN THE SKY | Sol Wurtzel | 20th | Meller | G. Stuart-M. Whalen | Herbert Leeds | 62 | 3/16 |
| 4/8/38 | FEMALE FUGITIVE | E. B. Derr | Mono | Meller | E. Venable-C. Reynolds | Wm. Nigh | | |
| | IT COULDN'T HAPPEN AGAIN | Cliff Reid | RKO | Drama | V. Moore-A. Lane | Christy Cabanne | | |
| | CAPITAL PUNISHMENT | John H. Auer | Rep | Rom-Dr | A. Marshall-T. Birell | John H. Auer | | |
| | RAWHIDE | Sol Lesser | 20th | Western | S. Ballew-E. Knapp | Ray Taylor | 60 | 4/6 |
| | RECKLESS LIVING | Val Paul | U | Com-Dr. | N. Grey-R. Wilcox-J. Savo | F. MacDonald | | |
| | WOMEN ARE LIKE THAT | Robt. Lord | WB | Com-Rom | K. Francis-P. O'Brien | Stanley Logan | | |
| 4/15/38 | FLIGHT INTO NOWHERE | Col | Col | Meller | J. Holt-J. Wells | Louis D. Collins | 62 | |
| | THE SHOW GOES ON | H. Wilcox | GB | Rom-Dr. | A. Neagle-T. Carminati | H. Wilcox | | |
| | TEST PILOT | Louis Lighton | MGM | Rom-Dr | C. Gable-S. Tracy-M. Loy | Vic Fleming | | |
| | HER JUNGLE LOVE | Geo. Arthur | Par | Rom-Dr | D. Lamour-R. Milland | G. Archainbaud | 81 | 3/23 |
| | JOY OF LIVING | Felix Young | RKO | Comedy | I. Dunne-D. Fairbanks, Jr. | Tay Garnett | 90 | 3/23 |
| | IN OLD CHICAGO | K. MacGowan | 20th | Drama | T. Power-A. Faye-Ameche | Henry King | 110 | 1/5 |
| | DIVORCE OF LADY X | Alex. Korda | UA | Rom-Dr | M. Oberon-L. Olivier | Tim Whelan | 90 | 1/19 |
| | NURSE FROM BROOKLYN | Ed. Grainger | U | Drama | S. Eilers-C. Kelly | Sylvan Simon | | |
| | FOOLS FOR SCANDAL | Mervyn LeRoy | WB | Rom-Com | C. Lombard-F. Gravet | Mervyn LeRoy | 80 | 3/30 |
| | UNDER WESTERN STARS | Sol C. Siegel | Rep | Western | R. Rogers-S. Burnette | Joe Kane | | |
| 4/22/38 | THERE'S ALWAYS A WOMAN | Wm. Perlberg | Col | Comedy | J. Blondell-M. Douglas | Alex Hall | 82 | |
| | HEART OF ARIZONA | Harry Sherman | Par | Western | W. Boyd-G. Hayes | Les Selander | | |
| | GO CHASE YOURSELF | Bob Sisk | RKO | Comedy | J. Penner-L. Ball | Edw. Cline | | |
| | THE FEUD MAKER | A. W. Hackel | Rep | Western | B. Steele-M. Weldon | Sam Newfield | | |
| | LADY IN THE MORGUE | Irving Starr | U | Mystery | P. Foster-P. Ellis | Otis Garret | | |
| | ACCIDENTS WILL HAPPEN | Bryan Foy | WB | Com-Meller | R. Reagan-G. Blondell | Arthur Lubin | 6 | |
| | BATTLE OF BROADWAY | Sol Wurtzel | 20th | Comedy | V. McLaglen-E. Muir | Geo. Marshall | 82 | |
| 4/29/38 | CALL OF THE ROCKIES | H. L. Decker | Col | Western | C. Starrett-I. Meredith | Allen James | | |
| | SWISS MISS | Hal Roach | MGM | Comedy | S. Laurel-O. Hardy | John G. Blystone | | |
| | COLLEGE SWING | Lewis Gensler | Par | Musical | M. Raye-Burns and Allen | Raoul Walsh | | |
| | RETURN OF SCARLET PIMPERNEL | Alex. Korda | UA | Drama | S. Stewart-B. Barnes-M. Scott | Hans Schwartz | | 4/6 |
| | BELOVED BRAT | Bryan Foy | WB | Com-Dr | B. Granville-D. Costello | Arthur Lubin | | |
| | GUNSMOKE TRAIL | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Sam Newfield | | |
| | FOUR MEN AND A PRAYER | K. MacGowan | 20th | Rom-Dr | L. Young-R. Greene | John Ford | | |
| 5/6/38 | THREE COMRADES | J. Manckiewicz | MGM | Drama | R. Taylor-M. Sullavan-Tone | F. Borzage | | |
| | DOCTOR RHYTHM | Emanuel Cohen | Par | Musical | B. Crosby-M. Carlisle | Frank Tuttle | | |
| | LAW OF THE UNDERWORLD | Bob Sisk | RKO | Meller | C. Morris-A. Shirley | Lew Landers | 60 | |
| | SINNERS IN PARADISE | Ken Goldsmith | U | Drama | J. Boles-M. Evans | Jas. Whale | | |
| | KENTUCKY MOONSHINE | K. MacGowan | 20th | Musical | Ritz Bros.-T. Martin | David Butler | | |

# IN OLD CHICAGO

# HELD OVER IN *every* PRE-RELEASE RUN

**SAN FRANCISCO** (3rd Week)

**NASHVILLE**

**ROCHESTER**

**DALLAS** (Held for 3rd Week)

**SYRACUSE**

**BUFFALO**

**OMAHA**

**DETROIT**

*New openings! New records!*

**SALT LAKE CITY:**
Breaks all records in 1st four days!

**LOUISVILLE:**
Miles ahead of every *20th top smash!

**INDIANAPOLIS:**
Beat *20th's biggest by thousands of dollars!

* Of course, 20th's top grosses are recognized as absolute tops for the industry!

THE KEYSTONE OF YOUR FUTURE

# Fed'l Trade's Unusual Rap at GN's 'False' Adv.; Sales, Prod. Revamp

Washington, April 5.

Unusual step was taken today (Tuesday) by the Federal Trade Commission in a show-cause order slapped on Grand National Films, Inc., of New York.

Constituting first action in years against an important producer (commish gave the respondent 20 days to answer complaint that the sale and distribution of a motion picture entitled 'In His Steps' had misled the public; caused 'detriment and financial injury' to exhibitors who leased the film, and had resulted diversion of trade to competitors.

Using same title as a best-seller written by Dr. Charles M. Sheldon, back in 1896, Grand National capitalized on its production by permitting the public to believe the plot would be identical with the famous story, according to the complaint. Original tale dealt with a minister who succeeded in converting his community to the teachings of Christianity, while film version is concerned with a boy-and-girl elopement and teaches the lesson of the 'inadvisability of parents trying to impose their will their children and of the need of young people to learn self-sufficiency,' FTC charged.

Despite completely different plots, film version was advertised as 'a modern romance suggested by the world's record-breaking best seller by Charles M. Sheldon,' injured competitors pointed out. Also ballyhooed with such assertions as 'The book on which this picture is based has enjoyed the greatest sale of any other work. . . . 'In His Steps' comes to you with the greatest ready-made udience in the history of the film industry waiting to acclaim it.'

'Ready-made audience,' on discovering the hoax, was quick to turn from theatres carrying the picture to 'competitors who truthfully advertise their film productions,' complaint asserted.

'Use of the title 'In His Steps' for a filmed story which has no connection with, and differs in all material respects from Dr. Sheldon's novel, together with the representations in the respondent company's advertising matter, allegedly implies to a substantial number of theatre owners and exhibitors and to prospective theatre patrons that the filmed story is the same in all material respects as that of the novel, when such is not a fact,' commish declared.

Hollywood, April 5.

Edward Alperson, GN prexy, said he was not familiar with the action, but protested over use of the title incepted seven months ago. Film was one of first to launch new company in '36 and was produced by B. F. Zeidman at Talisman studio. Official credits have film 'suggested' by Charles M. Sheldon's 'In His Steps,' which company later switched to 'Sins of the Children.' When Sheldon protested title change, it reverted back to original.

Edward Alperson and Lloyd Wright, trustees for Grand National's 77B reorganization, have asked the Federal court for permission to complete a deal, already negotiated, for the sale of the 16 mm. rights to the company's product. GN would receive a split of 50% of the gross receipts, with a guarantee of $16,000.

Trustees have already received the tribunal's O.K. on the sale of certain South American distribution rights to Rafael Ramos Cobian for $3,500.

Alperson is taking over active operation of the GN studio. Successor to Harold Lewis, who quit April 2 production and studio manager, will be Dick Pearl.

Having trimmed forces drastically prior to steps to reorganize under 77B of the bankruptcy act, Grand National is now preparing to restore staffs in the sales branch, putting on 50 to 60 film salesmen. Men are being taken on for a spring drive for business on releases of product for April, May, June and July, some of which is currently in production.

GN has kept its 29 exchanges intact during a prolonged setback. The branch managers in the 29 points have been ordered to take on the quota of film salesmen needed immediately.

## World's Screens

(Continued from page 5)

of all other nati Sharper rise occurred in Latin America, where Mexico sets the pace. Other Western Hemisphere nations turned out 90 pix, increase of 34.

Restrictions of various types—high taxes, exchange controls, tighter censorship, and quotas—were strongly evident in 1937, Golden reported. Said 'the totalitari trend in various areas brought significant repercussions' while the undeclared wars in China and Spain, combined with disturbed conditions in other sectors of the globe, 'have unquestionably resulted in substantial losses of revenue.'

Reassuring factor was the continued demand for U. S. product. Commerce Department observer said 'one may confidently and vigorously assert that American films tain a gratifying popularity with nearly all foreign audiences.' Our pics generally evoke admiration and enthusiasm.

'Restrictions against film imports were considerably intensified by certain governments during 1937 and new quotas are looming on the horizon of 1938,' according to Golden.

American pics remain the lifeblood of theatres throughout the world, he said, since they are the best available. During 1937, our films were shown in 80-odd countries covered in the study more than 70% of the screen time. In some spots, the percentage ran up to 95.

**Outlook Gloomy**

The outlook is not especially encouraging, however. Golden warned that 'the problems of rising nationalism, of quotas, discrimination, subsidy and tariff barriers will have to be adjusted if American business is to operate on as wide a scale as heretofore.'

Talking about the leading markets, the Commerce Department expert pointed out that 'censorship is the real bugaboo' in Germany; forecast virtual nationalization of the French film industry, said taxes and labor limitations in Mexico have injured American interests, was uncertain about what will happen when the agreement with Italy expires in June, anticipated stiffer control in Argentina, saw 'several discouraging factors' upsetting the Japanese market, and was uncertain about England's attempts to fertilize her lagging industry.

The lack of success on the part of foreign countries trying to artificially stimulate their own production was cited as a slight ground for hope. Observing that 'quality pictures and not quantity is what the public desires' regardless of nationality, Golden said there is a chance that foreign people will revolt against the screen propaganda they are being served and this force a removal of some of the obstacles keeping American films out of their houses.

'As proof that an industry cannot be effectively legislated into being, one need only look at Great Britain,' the trade watcher declared. 'Ten years ago there was inaugurated a quota system designed to assist and promote a national industry. During the past 10 years Great Britain has produced more films than ever before. But ordinarily they were not of the type enjoyed by the motion picture public of the world. Seemingly, they were not even joyed by the British public. The result was that theatres, to stay within the law and meet their quota footage, were obliged to show these pictures at hours during the day when patronage was either il at its minimum.

'Great Britain during 1937 produced 225 feature films, of which but a handful received world distribution, without which they cannot be financially successful. It might perhaps be best if the British producers would produce fewer pictures, whose chief ingredient should be quality and audience appeal, instead of concentrating upon inferior quantity productions which have been given artificial respiration through legislative quotas and contingent systems.'

### MARG TAZELAAR'S M-G SPOT

Marguerite Tazelaar, second-string film critic of the N. Y. Herald Tribune for many years, joined Metro Monday (4).

In Howard Dietz's department, special feature writer.

## SHOW-MUST-GO-ON STUFF

### 400-Mile Sunday Drive to Service Backwoods Exhib

Philadelphia, April 5.

Show-must-go-on stuff sent Al Martin, of Horlacher's Film Delivery Service here, on 400-mile wild drive Sunday. He got a call early in the morning from Larry Woodin, manager of the Arcadia, Wellsboro, Pa., telling him that booth fire wrecked part of projection equipment and asking replacements.

Being a Sunday, Martin had considerable hunting to do before he got the parts, then found there was no plane or train to take them. So he drove the 400 miles himself, arriving just 40 minutes before curtain time and the show went on.

## NW PANIC OVER PRICE-CUTS, DUALS

Minneapolis, April 5.

The admission price-cutting and double featuring war in this territory reached a stage this week where competitors of the Baer Bros., independent circuit operators, meeting here, were considering a plan to combine their resources to build an opposition theatre at Thief River Falls, Minn., where the Baers now have the town's only two showhouses.

The competing exhibitors in seven other towns blame the present war on the Baers who recently opened a new $150,000 theatre at Brainerd, Minn., with a policy of first-run duals at 15c., and who installed a similar policy at Bemidji, Minn. In both of these towns they are opposed by Bennie Berger, also a large independent circuit operator.

Those on hand for the Minneapolis meeting are Berger, William McKinley, International Falls, Minn.; Archie Swanson, Ely, Minn.; Andrew Jacobson, Alexandria, Minn.; Leo Gillis, Wahpeton, N. D., and J. R. Ressler, Park Rapids, Minn. The Baers have houses in all these spots.

With the trade panicky because of declining grosses, there's fear the price-cutting and dual bill will spread. Indications of the trend are found in the Twin Cities where give-aways are becoming the order of the day. One local indie neighborhood house is giving away an auto a week and a number of other theatres are handing out dishes, cash and other gifts. The Minnesota Amus. Co. now is threatening to go the independents one better in the matter of give-aways unless a halt soon is called.

## MARCH OF TIME-SAG'S SPECIAL ARRANGEMENT

March of Time and the Screen Actors Guild are now operating on an informal agreement under which SAG views each March release at a private advance showing. Conference is then held between Guild and studio reps to decide classification of the reels.

All questions of what portions should be classed as 'dramatic' and what ones as newsreel have so far been settled these huddles. In the portion classed as 'dramatic' the actors must be paid ding to SAG minimums and such cases March has been using Guild members.

No permanent agreement will be sought by SAG until it has worked out a set of requirements covering all newsreels. Not even a tentative date has been set for that, although some study of the subject may be made when Kenneth Thomson, SAG executive-secretary, comes east next month for the annual meeting of the Associated Actors and Artistes of America.

## Hertz Sold Par Stock

Washington, April 5.

Only film transactions by a company insider were further sales of Paramount debentures by John D. Hertz, New York broker, who sits on the Par board.

In five installments, Hertz d sted himself of interest in 1,700 shares of 6% convertible second preferred. Cuts his take to 1,000. Biggest transaction was sale of 600 hares on Feb. 11.

# Zanuck Counsels USC Class To Make Film Exhibition a Life Work

## AT&T, Bell, Erpi

(Continued from page 7)

have afforded the Bell System a strong patent position in these adjacent non-communications fields. This position has constituted an important bargaining instrument that may be employed to prevent the invasion of its telephone business by potentially competitive corporations.'

**Early Days of Sound**

Survey covered the early days of sound, when Vitaphone, holding an exclusive license from Western Electric, first began authorizing film producers to adopt the new art. Probers traced the growth of Erpi, including the compulsion applied to keep rivals out of the business and the extension of credit to producers to build up the market for both recording and reproducing equipment. At the outset, the Bell people had producers by the throat, holding contracts with 90% of the studios and being owner of 1,046 out of 1,051 installations on Dec. 29, 1928.

'License agreements with producers and exhibitors have been the fundamental devices used in effecting the Bell System's exploitation of the sound motion picture equipment field,' investigators said.

Non-interchangeability clauses — via which Erpi prevented expansion of rivals in the field—were discussed critically, as were contract features which enabled the Bell subsid to dictate when and how replacement equipment was to be obtained. Report recalled that RCA once went so far as to threaten suit order to get into the business and cash in on its patent rights obtained through the 1926 cross-license agreement with the telephone group.

**RCA's Inroads**

Partial breakdown of the A. T. & T. monopoly occurred in 1928 when pact was negotiated under which RCA was allowed to sell equipment which could be used interchangeably with Western Electric apparatus. While on Dec. 29, 1928, there were 1,046 Bell installations, and 95 independent installations, the balance shifted in 1929 until rivals had 4,926 customers and the telephone people only 3,267.

Royalty system also drew fire. Despit cross-licensing pact, Erpi collected from both ends, by charging fee from producers for records made (1) with use of technical info supplied by the Bell people or (2) with any equipment, method or system covered by any patent or embodying any ideas licensed to other manufacturers.

Another practice which the FCC investigators didn't like was the service obligation under which users of Western Electric were compelled to have their installations inspected and kept in shape by Erpi crews. This weapon was used against exhibitors until 1933, when compulsory servicing was terminated at end of two years if all charges payable had been wiped out. Sharp drop in service revenue followed this change in policy.

Modification of the Bell attitude toward the sound picture business was noted. Abandonment of criticized trade practices seen in contract of 1937 by which Altec Service Corp. took over the business of maintaining reproducing equipment and General Theatres Equipment Co. and Motiograph, Inc., were allowed to manufacture reproduction apparatus.

Starting operations with a surplus of $40,061,570, Erpi had gross revenues between 1927 and 1935 of $152,029,326, of which $94,851,251 came from exhibitors and $28,479,902 from studios. Net profits aggregated $28,112,880, with $19,905,042 of this sum credited to investments and sideline activities. Subsid has paid 33 1/3% of its royalties from recording to the parent company.

Break for rivals is seen in the recommendation that Congress empower the FCC to order Bell family to grant licenses upon reasonable terms whenever this will not be detrimental to the communications service rendered by the A. T. & T. In return, the telephone monopoly would get the right to use patents owned by others which are ssential in its own line of business.

Los Angeles, April 5.

Addressing the University of Southern California's class on motion picture distribution last Wednesday night (30), Darryl Zanuck, 20th-Fox production chief, urged ambitious youth of today to enter the field of film exhibition as life's work. Theatre operation, he declared, offers the biggest and most wide-open opportunity of today.

Using 'Showmanship in Theatre Operation' as his topic, the studio executive provided his hearers with plenty of food for thought.

Studio practices and the various methods of injecting showmanship into screen product were detailed by the speaker, who then informed the class that theatre operation at its highest is simply the task of carrying the studio's problem to final completion.

'Unless the efforts of the producer are properly supplemented by the presentation of the selling facts of his picture to the public, our whole gamble weakened,' Zanuck explained. Continuing, he said in part:

'Showmanship by the exhibitor is every bit as important as by the producer. It is from this type of showman—scientifically-trained theatre men—that tomorrow' producers may come.

**Exhib Must Pull 'Em In**

'Every picture that comes out of the studio is given the impetus of a campaign. But the studio can only arouse public interest a given picture, while it is up to the exhibitor to cinch the deal. The producer puts the public in a receptive frame of mind. The exhibitor, who is a showman, pulls them in.

'The rules of showmanship are limited by the ingenuity and resourcefulness of the producer and exhibitor alike. The studio's experts are trained men who exploit the picture, but the exhibitor who is a showman often finds ways and means of exploiting pictures that have been overlooked.

'It is this type of showman that the industry today needs. You who are taking this course may be tomorrow's answer to that need. Certainly the opportunity is yours, for you are studying the problem from a scientific standpoint. From trained men such as you tomorrow's expert showmen should come.'

S. L. (Roxy) Rothafel and Harry Reichenbach, as well as Sid Grauman, were cited by Zanuck as examples of outstanding showmen whose individuality gave added impetus to the film box office.

## 'Wake Up' Theft Suit

Twentieth Century-Fox is named defendant in plagiarism suit filed last week in N. Y. federal court by Edmund Benguiat, author, who avers 20th's 'Wake Up and Live,' made in 1936, is a takeoff of his story, 'Take the Air.' Benguiat claims after writing the story in 1935 he submitted it to the picture corporation but it was rejected.

Much of his story, he contends, was used the 'Wake Up' script. Wants an injunction, accounting and profits.

## Simone Back at Work

Hollywood, April 5.

Simone Simon has returned to 20th-Fox after three weeks' illness, and filming on 'Josette,' in which she was working when stricken, has been resumed.

Picture was in its final 10 days when the cameras were shuttered.

### 'MARINES' LEADS SET

Hollywood, April 5.

June Travis and Gordon Oliver, former Warner contractees, been signed by Monogram for the featured roles in 'The Marines Are Here,' which Phil Rosen will direct.

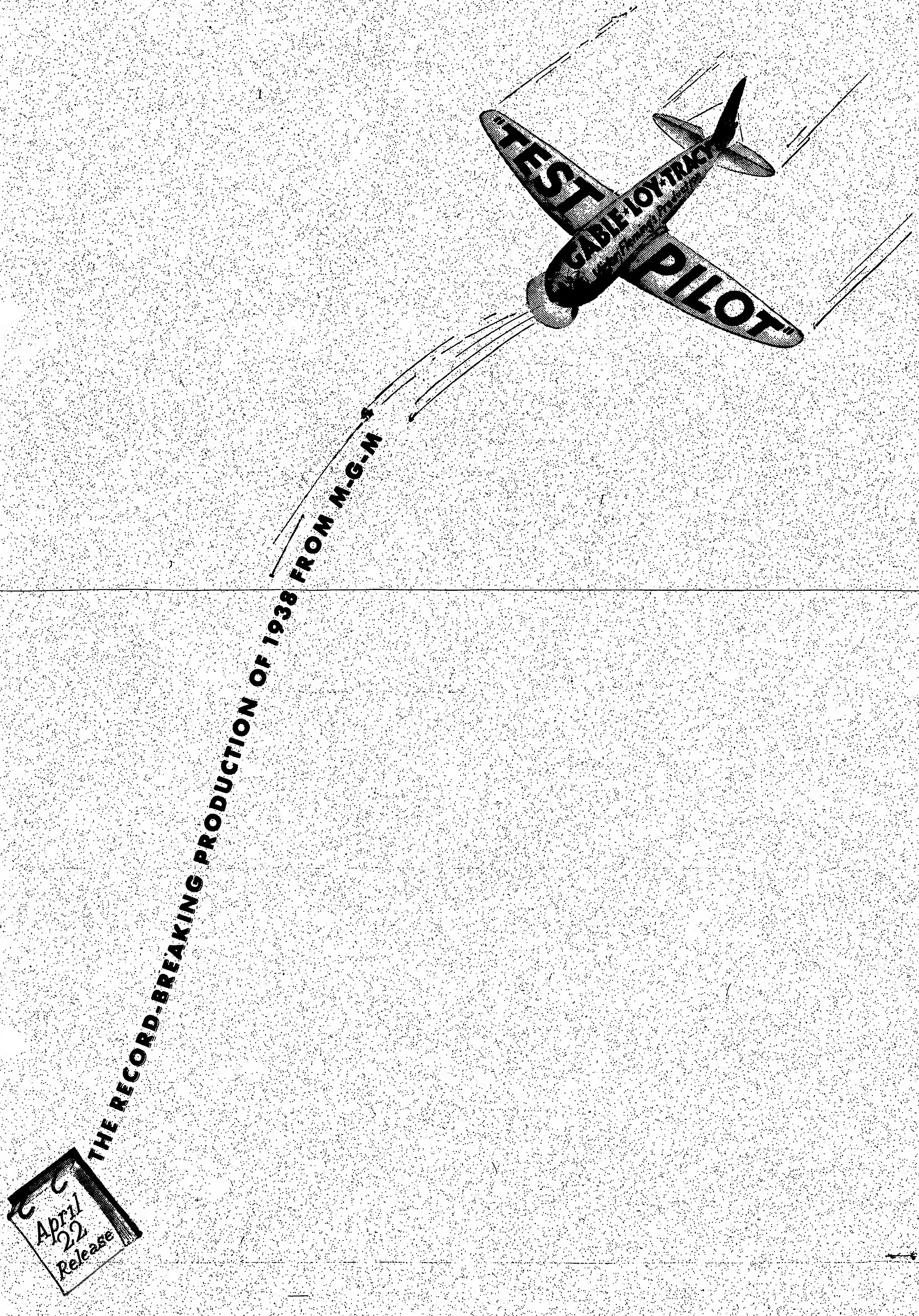
Studio has the War Department's o.k. on the script, which was written by Scott Darling, Jack Knapp and J. Benton Cheney. Latter will ser technical director on the film.

### OSBORNE'S HEARTBREAKER

Hollywood, April 5.

Paul Osborne, Broadway playwright, has checked in at Selznick-International to work the script of 'Heartbreak Town.'

Story is based in I.A.R. Wylie's Satevepost serial, 'The Gay Banditti.'


"TEST PILOT"
GABLE·LOY·TRACY
THE RECORD-BREAKING PRODUCTION OF 1938 FROM M-G-M
April 22 Release

# Koplar Out of F&M St. Loo Setup, Sam Dembow, Jr., Buys In, and V. P.

Acquiring an interest in Fanchon & Marco, Sam Dembow, Jr., joined that company Monday (4) as v.-p. and a member of the board of directors, his connection with F&M occurring concurrently with the closing of a deal to buy out Harry Koplar's stock ownership in various theatres F&M operates in St. Louis. The houses include all the large St. Louis operations, Ambassador, Missouri, Fox, St. Louis and Grand Central, as well as others.

Koplar has been an important independent exhibitor figure in St. Louis as well as nationally over a period of many years and from time to time has been involved in controversies with distributors which received widespread notice. In addition to the leading downtown houses in St. Louis, F&M controls the St. Louis Amus. Co., a large group of neighborhood theatres, the organization having received what amounts to virtual monopoly in the Missouri key an outcome of the Government suit against major distributors on complaint of F&M that was settled two years ago. F&M also operates in New England and manages Roxy, N. Y., Paramount, Los Angeles and Orpheum, San Francisco.

In aligning with F&M as a partner nd operating executive, Dembow resigned Saturday (2) from National Screen Service, which he joined three years back as general manager and executive assistant to Herman Robbins, president. Among other things, he organized National Screen Accessories, which has grown in a short space of time into an important and highly profitable subsidiary of National Screen Service.

In addition to now having a financial interest in Fanchon & Marco, Dembow is personally invested in various other enterprises in the east. Prior to joining National Screen in '35, Dembow was executive v.-p. of Publix Theatres and in that post responsible for initiating the partnerships which led to final decentralization.

John F. Bannan, with Dembow the past 10 years, joined F&M with him Monday (5).

Coincident with Dembow's joining F&M a deal was closed to buy out John A, Schultz's interest in the F&M agency. Negotiations were closed through A. L. Berman, Schultz' attorney. Schultz at present in Hollywood.

### Two Hurt in Lamp Fall

Hollywood, April 5.

Two electricians were injured last Saturday (2) by falling arc lamp on the Balboa Bay location set for Paramount's 'Spawn of the North.'

Victims were Charles Martindale, who suffered a fractured knee, and Frank Johnson, who sustained shoulder injury.

## STUDIO CONTRACTS

Hollywood, April 5.

Harvey Gates given term writing pact by Metro.

Warners lifted Leo Gorcey's player option.

Jane Woodworth handed stock player contract by RKO.

Claude Binyon set for another year as Paramount writer.

John Tainter Foote and Harvey Ferguson presented with new writer contracts by Metro.

Henry Hull set for new term with Metro.

Jean Rogers signed by 20th-Fox.

John Payne signed to term player deal by Warners.

David Hall drew year's contract as 20th-Fox art director.

Weaver Bros. and Elviry set for picture-to-picture deal at Republic./

Georgianna Belzer, moppet, pacted by Selznick-International.

Ray Bolger given new Metro pact.

## TITLE CHANGES

Hollywood, April 5.

Warners 'Sister Act' switched to 'Because of a Man.'

Monogram re-tagged 'Ridin' Gent' as 'The Phantom Rider' and 'Two-Gun Justice' as 'Renegade Law.'

Metro's short, 'How to Enjoy Music,' will be released as 'Music Made Simple.'

'Sport Blood' is new moniker for 'Sporting Blood' at 20th-Fox.

## *Corral Crooners*

(Continued from page 1)

attract more than 50,000 class customers from all sections of the United States and several foreign countries.

Most of the name ranches are located in the Jackson Hole and adjacent territory of Wyoming. This once reputed 'roosting place' for old-time bandits and cattle rustlers boasts of more than 35 outfits cashing in on their o.k. fishing and hunting haunts, sylvan scenic retreats and annual reproduction of frontier whoop-de-doos.

Dude ranching, McCoy western biz since the turn of the century, attracts the greatest number of vacationists between early May until the latter part of September.

Nearly all of the name outfits ask and receive tariffs resembling swank hostelries. More than a dozen Jackson Hole ranches charge around $8) to $100 a week for board and room. The incidentals—dude garb, hunting and fishing accoutrements, books, transportation, and souvenirs—run into plenty of dough.

Other nationally-known ranches are located in the wilder portions of the Colorado mountains; the wild and rugged country of central Idaho; the Blue and Wallowa mountain ranges of Oregon; near the divorce mecca of Reno, Nevada; on the fringe of the Mojave desert in California and in southern Utah. It is estimated that out of the 100 known outfits operating this year, around 60% are equipped with the essential conveniences of the Big City.

**French Pastry Mess Houses**

A few of the biggest cowboy resorts provide for their clientele Turkish baths, swing bands by corral crooners, French pastry, motion pictures, tennis courts, bowling alleys and swimming pools. Two even have private airport for air-minded guests.

The 1938 season will enable smart metropolitan shops to reap a six-figure sum in outfitting dudes. The nation's railroads take plenty of space in magazines and newspapers plugging transportation facilities to these flapjack and roll-your-own havens.

Cowboys are reading Dale Carnegie behind the corral in preparation for the femmes. Personality is a valuable asset to a bow-legged bronc rider and owners of outfits prime their cohorts to be able to cope with any situation—even in God's chosen country.

During the next five months, six-gallon sombreros will replace top hats and if the wearer wishes a dry Martini or chukker of polo—leagues from 'civilization'—he need only issue a command. It's 6-2-and-even to be arranged.

## UA's Ballyhoo Drive

A total of 29 exploitation men were sent on the road Monday (4) by United Artists to supervise campaigns under the direction of Monroe Greenthal on Easter week releases.

They will cover dates in 23 situations on 'Marco Polo,' 'Tom Sawyer,' 'Divorce of Lady X' and 'Gaiety Girls.'

### TALBOT DEAL STALLED

Tulsa, Okla., April 5.

An 11th-hour effort by members of the Akdar Shrine to have sale of Akdar Temple to Ralph Talbot Theatres, Inc., set aside in order that they might buy it back, was revealed when Federal Judge Kennamer delayed until April 18 approval or jection of the sale.

Announcement had previously been made that Talbot interests had succeeded in buying the property at price of $106,000.

### Manager Slugged, Robbed

Hamilton, O., April 5.

James F. Schwalm, manager Rialto, Southio unit, was slugged and robbed of approximately $110 in his second floor office Sunday (3) by a lone masked bandit while the day's receipts were being checked at closing time.

The bandit ordered Schwalm away from his desk at the point of a gun, struck him over the head, inflicting a deep scalp wound, nd escaped while Schwalm was unconscious.

## Swarthmore Cinema Jam

Philadelphia, April 5.

Syndicate of Philly film ops who desire to build a house in Swarthmore, wealthy suburban college town, will take to court a borough ordinance forbidding all paid amusements. Act, which bars dance halls, pool and billiard parlors, skating rinks, swimming pools, bowling alleys and anything else to which there is an admish charge, was passed in January. Town meeting was hurriedly called when it was learned that Dr. William Kistler had optioned his property to the film syndicate.

Swarthmore figured as likely spot for flick house. It has a college with more than 500 studes, prep school and flock of coin-ridden residents.

## BINGO SETBACKS IN PHILLY-DELA. ZONES

Philadelphia, April 5.

Bingo, banko and other games were handed two more setbacks this territory during past week with strict nix on them by d. in Cumberland county, Pa., and a ruling by Delaware's attorney-general that they are illegal in that State.

Indies claim that Cumberland ban, which affects about seven houses, was purposely brought on by Warner Bros. In most situations, they declare, WB puts up more dough for prizes than indies can afford. In Cumberland, however, smallies were putting up more than the chain. Circuit execs figured, therefore, that it would be more profitable to eliminate games entirely than up the ante.

Opinion of Attorney-General Green in Delaware followed request of Middletown police department. Some towns have stopped the games since the ruling, while others haven't bothered and they continue to be played.

## Bob Livingston Breaks Away from Cooper Chain

Lincoln, April 5.

J. H. Cooper Foundation, the showman's under-privileged children's fund started by Cooper several years ago, lost its steadiest contributor when Bob Livingston took his Capitol out of the Foundation support after 57 consecutive weeks in which he passed in $26,313.28. Livingston had been giving 40% of his gross to Cooper's fund for the privilege of getting second runs.

Severence was made when Livingston negotiated Paramount's second run contract and has the assurance of others.

## Optimism Out West

Los Angeles, April 5.

James Edwards, Jr., indie operator, is adding three new film houses to his Southern California circuit at a cost of $140,000. Ground has already been broken for an 850-seater in Tujunga, with completion scheduled for June.

Another will be constructed in Gardena, while the third will be built in Arcadia, in conjunction with D. B. Vanderlip.

## Par-Leder Settle

Paramount Productions' injunction suit against Ben and Nat Leder of the Leader Motion Picture Film Co. was dismissed Monday (4) by N. Y. Federal Judge John C. Knox. Understood dispute was settled out of court. Par and its distributing subsid, Exclusive Movie Studios, Inc., charged the Leder brothers had duplicated Betty Boop and other animated cartoon films, produced by the Fleischer Studios and owned by Paramount.

Action was for injunction and accounting.

### Par Moves Lab Head

Hollywood, April 5.

Frank La Grande, assistant superintendent of Paramount laboratory, has been transferred to the company's New York plant. He departs late this week.

C. Roy Hunter has been switched to the studio's special effects and transparency department.

## *Goldwyn-Korda-UA*

(Continued from page 2)

under more favorable terms. Other negotiations, which will constitute part of the deal, include massive working alliance between UA heads and Lord Portal, Arthur Rank and Charles M. Woolf. Latter trio also owns the Pinewood Studios, which figured to come into the deal. Korda controls the Denham studios.

Although Woolf's outfit will retain independence, it's understood that close alliance will be formed with UA in distribution and contributing to financing of product. With Gaumont-British already allied with Woolf, new deal with UA will mean assurance that the company's pictures get GB releases. Also likely that General Film Distributors, his releasing organization, will join forces with UA.

New deal will have Silverstone vacate as head of the London office for executive post in the U. S. If deal culminates, UA will get English releases in nearly 1,000 houses. The Korda interests are financed by the Prudential, and the Deutsch circuit by another insurance corporation. Such alliance would undoubtedly receive substantial monetary support from Lord Nuffield, England's motor tycoon, as a 'patriotic gesture' to firmly establish the British film industry. This is the biggest film deal ever attempted and obviously designed to counteract possible monopoly by John Maxwell.

**UA and Deutsch**

Examination of United Artists' relationship with the Odeon (Oscar Deutsch) circuit is among the immediate problems the agenda of the United Artists partners who are now in London conferring with Alexander Korda.

It's quite possible that a modified arrangement of interests between UA and the Odeon chain may result from such confabs. There is also a financial angle connection with the matter which occupying the partners' attention, in London.

According to his present plans, Samuel Goldwyn may sail from Lo don, for New York, April 14.

## Schine's Tax Appeal

Washington, April 5.

Tax-scrap between Schine Chain Theatres, Inc., of Gloversville, N. Y., and the U. S. Government over alleged deficiencies in income and excess profits levies for 1933 totalling $78,157 was tossed last week into the lap of the Board of Tax Appeals.

Feds had no right to charge that accumulation of a special fund prior to 1933 was taxable in the same year, group declared. Nestegg was acquired from rents from properties and leases on the properties were terminated 1933, according to theatre chain's squawk.

## De Lapp's Puff Junket

Hollywood, April 5.

With departure of Terry De Lapp, Paramount studio publicity director, on an eastern trip that will keep him away from the plant for three weeks, Jean Bosquet moved into the spot as acting chief.

En route to New York, De Lapp will stop over in Kansas City, Des Moines, Chicago and Detroit to launch campaigns for 'Men With Wings' and 'Stolen Heaven.'

Paul Mantz, film stunt aviator, will fly a stratosphere plane the Bendix race from L. A. to Cleveland, Sept. 3, an exploitation stunt for Par's 'Men With Wings.' Studio is footing the bills and has already filed Mantz' entry.

## Feteing Felix

Chicago, April 5.

Film row testimonial dinner to Felix Mendelsohn, former exchange manager here for Metro, who left that that organization after 12 years, is all set.

At the Congress hotel April 8.

# Pro-Dualers Clock Several N. Y. Houses to Prove Single Pictures Oft Unreel Longer Than Twin Bills

Independent producers and others presently carrying on successfully, mainly because of double features, this week flouted the contention of single feature advocates that dual programs were too long. They pointed to many examples of double bills where the show length was comparable to single picture programs. And they stressed the fact that two features constitute little or no additional eye-strai in contradicting this theory advanced by som solo film booster.

One indie producer cited the running time for listed Broadway picture houses as indicating that there was no great difference between the length of theatres with solo policy and those using two features.

His check, compiled recently, showed the Globe, with one feature, having a show slightly longer than two hours. In comparison, the Central in the same block, ran only two hours and 30 minutes with two films.

Further up on Broadway, he clocked the Capitol show at two hours and 26 minutes. The Palace, at the same time, had three hours and six minutes running time for two features, whereas another dual house, Loew's 83rd, had a show running one hour and 50 minutes. Loew's Paradise, also with two features, had 143-minute schedule.

Other running times he grabbed included:

Criterion (single;) one hour, 56 minutes; State (single plus vaudeville), three hours and five minutes; Rivoli (single), one hour, 47 minutes; Roxy (single plus stage show), two hours 39 minutes; Strand (single), one hour and 50 minutes; and Musi Hall (single and stage presentation), more than three hours.

## 'DWARFS' MARIONETTES BEATS IN DISNEY PIC

Lynchburg Va., April 5.

Academy theatre booked in Engle's Marionettes, stage show, titling it 'Snow White and the Seven Dwarfs.' It came in a full week ahead of Disney's picture at the Paramount across the street.

Town was plastered with cards and sheets for the marionettes, with Par slapping back: 'Don't confuse our attraction with any other show.'

Reading, Pa., April 5.

Miss White and her Seven Dwarfs are entertainers at the Henry Whitman Riverview Club here.

## Henshaws' Suicide Pact

Hollywood, April 5.

Roger (Dale) Henshaw, 42, former film executive and producer, and his wife, 46, died of monoxide poisoning April 3 in suicide pact in North Hollywood. They drove into a garage and piped the exhaust into their car.

Ill health and lack of funds were said by friends to be responsible for the act.

Henshaw came to Hollywood 14 years ago Paramount official and later associated with Independent Film Laboratory. He als wrote, directed and produced independently.

Wife, known as Miriam Christine Wills, did some film acting after several years as Coast play broker.

## Solace for L. A. Exhibs

Los Angeles, April 5.

Picture theatres [illegible] this year got Holy Week break this year, wi[illegible] indications pointing to profitable business instead of the customary slump.

Spring [illegible] has been [illegible] for April 10-16 [illegible] Week [illegible] theatres.

## Metro's Litho Splash

[illegible] of more than 10,000 [illegible] over the [illegible] in its spring [illegible]

[illegible] 24-sheeted will be 'Three Comrades.'

## 456 Pictures for 1938-9

(Continued from page 1)

ping them altogether, while Universal, which had eight westerns, is also going off them. Republic will continue the biggest source of supply of westerns with 24 planned again for '38-'39. Columbia is unset on lineup but will undoubtedly make the same as this season, 22. Paramount is planning six mesa mellers for '39-'39 instead of seven as this year, while Monogram will again be in the field with 16 and RKO with six mustangers.

Aside from GN, Columbia is the least determined of the majors as to '38-'39 schedules but, in addition to a probable 22 westerns, will again schedule 42 regular features.

In the shorts department indications that the output will be about the same as for this year, with approximately 627 one and two-reelers to be made. This will embrace a probable 26 two-reelers and 52 one-reel subjects, including a series of 12 cartoon subjects, from Educational. Earle W. Hammons, president, stated that although negotiations for distributional outlet have not as yet been closed with one of the majors, this is the program he is planning.

Releasing the Educational shorts for five years, with the termination of its deal with Hammons, 20th-Fox will itself offer a program of 58 one-reel subjects, including 26 Terry-Toon musical cartoons. It thus stays in the shorts field. Shorts market otherwise will offer a probable 126 from Col, 92 from Metro, 101 from Paramount, 42 from RKO and 130 from Warner Bros. These figures may be altered slightly but unlikely that the schedules over and above these amounts will be increased.

The lineup on color, pending final assignment of pictures for color, will undoubtedly see around 20 features done entirely in tints. United Artists will probably have around 10, same as for '37-'38, while Warner Bros. looks to three, 20th-Fox to two, Metro and Par to at least two, and RKO to one or two, including Walt Disney's second feature length cartoon.

The only company to increase its feature output, under plans, will be Gaumont-British. Against 16 for the current season, GB is planning a total of 24 for the coming film year. Its convention plans have not yet been set.

Metro and 20th-Fox have already officially announced their programs following sales meetings. Metro does not change the number of features it will offer, 52, nor does 20th at 58, except that six westerns are dropped. Twentieth-Fox's 58 include 52 to be made Hollywood and six to be turned out by Bob Kane in London. Musicals will continue to dominate the 20th-Fox program. Company's two in Technicolor will be 'Kentucky' and 'Jesse James.' The Metro contract on color is for six pictures within the next three years, or a probable two each year.

Paramount, which will reduce its program this coming semester, in all likelihood offering a minimum of 52 and a maximum of 58 or 60, against a program for '37-'38 of 59-65, is holding a two-day sales huddle in Washington April 15-16. By that time the program will be completely set up.

Mono is holding its sales convention in Cincinnati May 8-10, when it will officially announce 26 features and 16 westerns, same number as this season, but to be made under a higher budget and against a higher sales quota.

Republic holds its sales meet in Los Angeles for four days starting May 2. Company will have three groups of regular features totaling 30, in addition to three series of westerns with Gene Autry, Three Mesquiteers and Roy Rogers, plus four serials. Company plans nothing in color, nor will it offer anything in the shorts line.

In addition to GB and Col, RKO, Warner Bros., UA and Universal have not set any sales meeting plans but all are likely to have regionals.

RKO for '38-'39 plans 48 features and six westerns, against 49 features and six westerns this season. UA last summer announced a program of 34. It will deliver a total of 28 and for 1938-39 the company expects to announce a minimum of 24. Universal last year had 42 features and eight westerns, whereas for the coming season the company is figuring on a straight regular feature output of 40 features. WB, making 60 each season for some time, is expected to announce the same figure for the new year, including six Cosmopolitan productions. This company had no westerns for the current season and will not have any for '38-'39.

## Film Reviews

### OROK TITOK

(Continued from page 15)

agement and of Roman Catholic clerical circles. Priest collaborated on the scenario, another composed the music and evidently there has been clerical control of every detail of the direction. Result is a beautiful picture, with no technical detail wrong and nothing in questionable taste. Story has strong human and dramaic highlights which make it eminently interesting, far beyond the strictly religious angle.

Scenario has been adapted from a once-popular book by Father Spielmann, a German Jesuit. Setting is a small town in France, in the time of the anti-clerical movements of the 1870's. Rich old woman is murdered and suspicion is thrown upon the parish priest. Appearances are against him, and are ruthlessly exploited, for political purposes, by the opponents of the Church. Priest could only prove his innocence by betraying the secret of the confessional, si the murderer has confessed the crime to him. Rather than do this, the priest suffers the supreme penalty of being divested of the symbols of priesthood (a moving scene) and is sentenced to death. murderer finally confesses his guilt, the priest is reinvested into office and returns to his village in triumph; his martyrdom has turned the hearts of the people towards God and the Church.

Part of the priest is acted with admirable simplicity and intelligence by Harsanyi, and all the characters of the churchmen are in excellent hands. Church ceremonies, mass scenes, etc., are well directed and well photographed. Not in the general run of feature pictures, 'Eternal Secret' may still be classed among the best Hungarian mades, and is certainly the best drama made here so far. It ought to make good money locally. *Jacobi.*

## Broadway's Radio Squawk

(Continued from page 3)

auditorium. Informality, because off the air, and added 30 minutes of ad lib entertaining gave free ticket folks a full hour show.

Theatre men saw in this new wrinkle the possibility that every network show, already playing twice to large studio audiences, soon might add a rehearsal performance to repertoire. They claim it would be an added worry. Thus, program playing in an auditorium with 1,200-seat capacity would give away 3,600 tickets for the rehearsal, the regular broadcast and re-broadcast.

**City Tax Idea**

Exhibitors on Broadway, already paying high taxes and confronted with possibility of higher ones plus the assessment on ducats made by the Federal Government, have concocted the plan of having the LaGuardia administration put special levy on each broadcast ticket. If this proves illogical, it was advocated that a special service charge be tacked on to build up a fund for needy actors via the various theatrical guilds.

One Broadwayite charged that the show business in the Times Square area is taking terrific whipping from studio shows. He claimed that these radio shows were attracting 50,000 to 78,000 persons weekly. Other exhibitors said the figure would be nearer 100,000.

One showman stated that even based on an average admission of 40c this cuts into film houses from $20,000 to nearly $40,000 each week. His idea was that this sum probably would spell the difference between operating in the red or at a profit, even if divided up among eight houses.

Thing that annoys Broadway theatres is the lure studio shows possess for out-of-town visitor. This special attractiveness of the radio studio performances is twofold: (1) because visiting firemen can't see a big radio show broadcast at home, and (2) it's free.

On the other side of the picture, radio people contend studio shows bring a certain number of people downtown and that often they get out of a broadcast in time to attend a picture show or another type of paid entertainment, thus adding to the business of these spots.

Exhibitors scoff at this, saying that radio gives too high-class entertainment to tempt them to loosen up and spend money for additional amusement.

One exhib caustically observed that if any money is spent by these free show people it is for liquor, his explanation being that 'maybe they need a drink' after seeing a broadcast.

## New S. African Indie

Durban, March 21.

Construction of a new luxury picture house, with a 1,500 capacity and costing nearly $500,000, scheduled to start immediately here. Interested in the venture are H. R. Wickins, chairman, and W. Levy, managing director of Independent Picture Palaces, Durban; W. Boxer, managing director of B. & A. Export Co., Johannesburg, and Otto W. Bolle, 20th Century-Fox rep in South Africa. Inde cinema 'the Cameo,' being demolished and the new house erected on the site. Theatre is set for opening in July.

Move is due to a long-term agreement between 20th Century-Fox and directors of Indedepent Picture Palaces (opposition to African Consolidated Theatres), whereby the cern will screen 20th Century-Fox programs exclusively. 20th Century-Fox has no interest in the new theatres except on a film renting basis.

## Wilson Waivers

Hollywood, April 5.

Don Wilson, radio announcer, has signed away all claims he might have had against Condor Pictures under a year's contract calling for his services as commentator on a proposed series of shorts. Clinton Miller, trustee for the company under its 77B petition, has given him a releas from the agreement.

Severance was approved by Federal Judge George Cosgrove.

With a Bow of Thanks
Caravel Offers

"BOY MEETS DOG"

First of a Series of Technicolor Shorts

You'll Be Proud to Show and Paid to Play

Caravel now offers smart exhibitors everywhere its Sponsored Film Plan, designed to delight their audiences and increase their revenue, under the following guarantees:—

1—First run Technicolor shorts with production, audience and name values equal to the cream of the market.
2—Assured, Guaranteed revenue for each showing.
3—Exploitation Campaigns, with local dealer tie-ins, which will benefit your entire program.

Picture is an ambitious effort, being 90% entertainment, with only about 30 seconds outright advertising.
*Wear—Variety.*

Pure entertainment. Fine musical background by Nathaniel Shilkret and Frank Churchill, composer of "Snow White." Has high appeal.
*Paul Denis—Billboard.*

Clever animation and color effects. Should find ready audience acceptance.
*Harry Blair—Film Curb.*

One of the cleverest sponsored shorts ever produced. "Ad" element injected deftly and only a flash. Will set a standard for all future productions of sponsored films.
*Jack Harrower—Film Daily.*

Very entertaining. Ranks in front division of color cartoons. Commercial angle brief ten ond flash.
*Jay Emanuel Publications.*

Finest example of sponsored film. Few cartoons contain production values inherent here. Packs a wallop throughout every inch. Grand cartoon in Technicolor.
*Leonard Weisberg—Box Office.*

The actual presentation of the name of the sponsor doesn't last more than a few seconds. Without this, the film could probably be sold on the same basis as the best of the color animations.
*J. M. Jerauld, Managing Editor —Motion Picture Daily.*

Contains an entertainment emphasis and minimum of advertising unique among sponsored reels.
*James Cunningham —Motion Picture Herald.*

Should be a welcome part of any program. Animation perfect. Songs catchy. Kids will love it. Grown-ups will get a great kick out of it, too.
*Hank Linet —Showmen's Trade Review.*

"Boy Meets Dog," . . Produced by Caravel . . . based on Gene Byrnes' world famous syndicated newspaper feature "Reg'lar Fellers," songs by Frank Churchill, composer of "Snow White," . . . Symphonic-Swing orchestra under the baton of Nathaniel Shilkret . . . directed by Walter Lantz, creator of "Oswald, the Rabbit," sponsored by Bristol-Myers Company, on behalf of Ipana.

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Gentlemen:—
I am interested in booking "Boy Meets Dog" at a guaranteed revenue for each showing.
Please send contract for my inspection, together with complete details concerning your Sponsored Film Plan for your series of Technicolor short subjects.
..................................Theatre
..................................City
..................................State
..................................Manager
..................................Seating Capacity

# Incorporations

## NEW YORK

Albany.

**Ashley Productions, Inc.**, New York; theatrical enterprises; capital stock, 300 shares, no par value. Directors: Marie L. Elkins, 612 Park avenue; Edward Massey, 1035 Park avenue; Brenda D. Fiskey, 11 E. 35th street, New York.

**Zbyszko Enterprises, Inc.**, New York; theatrical business; capital stock, 100 shares, no par value. Directors: Stanislaus Zbyszko, Belvedere hotel; Sidney B. Heller (attorney); Thomas J. Young, 1440 Broadway, New York.

**Starlume Corp.**, Bronx; amusement parks, swimming pools, etc.; capital stock, 100 shares, no par value. Directors: Anthony Scotti, 1304 Chisholm street; Samuel Silberzweig, 1838 Bryant avenue; William Galantz, 1583 Yates avenue, Bronx.

**Acoustic Consultants, Inc.**, New York; records of sounds, talking machines, etc.; capital stock, $50,000; $10 par value. Directors: S. K. Wolf, 1270 Sixth avenue; Dagmar Perkins, 174 W. 76th street; S. J. Begun, 1270 Sixth avenue, New York.

**Record Pictures Corp.**, Manhattan; motion picture business; capital stock, 100 shares, no par value. Directors: Elizabeth Woods, Marjorie L. Soper, Annie Eichel, 630 Fifth avenue. (Sol A. Rosenblatt, same address, filing attorney.)

**Glens Falls Clerks, Inc.**, Glens Falls; amusement and entertainment of all kinds; capital stock, $2,500; $50 par value. Directors: Kieran J. Watters, 45 Elm street; Louis M. Carusone, 59 Notre Dame street; LeRoy B. Akins, 6 Knight street, Glens Falls, N. Y.

**Tyson-United, Inc.**, New York; admission tickets to theatres, boxing bouts, etc.; capital stock, $1,000; $100 par value. Directors: Evelyn Steinberg, Jacob Singer, Bernard Samuels, 29 Broadway, New York. (Herman Glasser, same address, filing attorney.)

**Pol-Billiards, Inc.**, Manhattan; deal in pool and billiard tables, amusement devices and games; capital stock, 200 shares, no par value. Directors: Murray W. Komrad, 1332 Finlay avenue, Bronx; Murray H. Marker (filing attorney); 38 Ft. Washington street; Emanuel M. Siegel, 1005 Jerome avenue, New York.

**Saratoga Theatres, Inc.**, Saratoga Springs; theatrical enterprises; capital stock, 100 shares, no par value. Directors: William E. Benton and Attorney James A. Leary, Saratoga Springs; Walter Reade, 701 Seventh avenue, New York City. Subscribers: Edmond N. Amyot and Reba Ryan, Saratoga Springs. Benton, Amyot and Miss Ryan each hold 25 shares of stock.

**Show-Pal Players, Inc.**, New York; theatrical and amusement enterprises; capital stock, 100 shares, no par value. Directors: Victor H. Lampel, 116 W. 72nd street; J. Jerry Rose, 215 W. 94th street; Sam A. Locker (filing attorney), 201 E. 42nd street, New York.

**Warwick Pictures, Inc.**, Manhattan; produce and exhibit motion pictures; capital stock, 100 shares, no par value. Directors: Lawrence M. Lyons, Herbert Shapiro, Adella Iamonico, 1674 Broadway, New York. (S. Chauncey Olman, same address, filing attorney.)

**Twentieth Century Presentations, Inc.**, Buffalo; theatrical and amusement enterprises; capital stock, $20,000; $100 par value. Directors: Carlyle G. Smith, 2277 Fillmore avenue; Ferdinand L. Gaye, 19 A street; Eric Gordon, 1011 Fillmore avenue, Buffalo.

**Mutual Theatre Owners Corp.**, Manhattan; theatrical business; capital stock, 100 shares, no par value. Directors: Charles Graff, 92 Wilson street, Lynbrook, L. I.; Leonard S. Marino, 95 Delafield avenue, West New Brighton, Staten Island; Freda Freeman, 1429 Carroll street, Brooklyn. (Marks & Marks, 521 Fifth avenue, filing attorneys.)

**Pam-O-Film Exchange, Inc.**, Buffalo; motion picture projecting machines, etc.; capital stock, 200 shares, no par value. Directors: George H. Moeser, 357 W. Utica street; Maynard C. Schaus, 146 Frontenac avenue; Eleanor M. Paradeis, 1136 E. Ferry street, Buffalo.

**Rialto Theatre of Buffalo, Inc.**, Buffalo; motion picture business; capital stock, $10,000; $100 par value. Director: Janet Hoch, 186 Breckenridge avenue, Buffalo; Andrew J. Hoch, 318 Wardman road, and Thomas L. McElvein, 386 Stilwell avenue, Kenmore, N. Y.

**Broadriv Operating Corp.**, New York; theatrical business; capital stock, 100 shares, no par value. Directors: A. Nadelman, A. A. Popper, R. Goldenberg, 1501 Broadway, New York. (Louis M. Weber, same address, filing attorney.)

**Levant Exhibition Corp.**, Manhattan; theatrical business; capital stock, 150 shares, no par value. Directors: Kalil Nelmy, 233 Broadway; Arthur Hinkely, 9515 Third avenue, Brooklyn. (Luther Geor , 233 Broadway, filing attorney.)

**Post Pictures Corp.**, New York; motion picture business; capital stock, 200 shares, no par value. Directors: Harry A. Post, 723 Seventh avenue; Arthur K. Kaye, 50 Broadway, New York; Frederick A. Woble, 285 Hancock street, Brooklyn.

**Dale Carnegie Courses Corp.**, Queens; conduct courses in public speaking, business efficiency, etc.; capital stock, $50,000; $100 par value. Directors: Dale Carnegie, Percy H. Whiting; Josephine Carnegie, 27 Wendover road, Forest Hills, L. I.

**Dale Carnegie Pub. & Service Corp.**; publications regarding human relations, public speaking, etc. Same capital and directors.

**Lucky Amusement Corp.**, Kings; theatrical business; capital stock, $20,000; $100 par value. Director: Don Worth, 3111 Brighton Seventh street; Esther Goldberg, 3115 Brighton Fourth street; Regina Worth, 323 Brighton Water Court, Brooklyn. (D. L. Samuels, 18 E. 48th street, New York, filing attorney.)

**Center & Johnstone, Inc.**, Manhattan; employment agency for actors, etc.; capital stock, 20 shares, no par value. Directors: Robert I. Center, 116 E. 30th street; Helen L. Johnstone, 53 E. 61st street, New York; Edith Sircom, 34 Tanglewylde avenue, Bronxville, N. Y.

**Accommodations for the Fair, Inc.**, New York; business of securing lodgings for visitors to New York City and Greater New York during World's Fair; capital stock, 200 shares, no par value. Directors: Julian C. Warden, 250 W. 70th street; Louis Rubinstein, 3750 Broadway, attorney; Ralph K. Keesing, 250 W. 57th street, New York.

**Glenns Theatrical Institute, Inc.**, Manhattan; general instruction in theatrical business; capital stock, 200 shares, no par value. Directors: Aaron D. Ginsberg, Benjamin L. Walters (filing attorney); Lillian Bronin, 220 Broadway, York.

### Change of Capital

**Smith & Howell Film Service, Inc.**, Syracuse; 2,000 shares, 1,000 preferred, $50 par value, and 1,000 common, no par value, changed to $150,000, $1 par value.

**Sales Films, Inc.**, New York, from 100 shares to 105 shares, no par value.

### Change of Name

**Advance Previews Company, Inc.**, New York, to **Trailer-Made, Inc.** (Saul E. Rogers, 580 Fifth avenue, filing attorney.)

### Memberships

**Paramount-Pep Club, Inc.**, New York; change of provisions, directors, etc. (Arthur Israel, Jr., 1501 Broadway, filing attorney.)

### Statement and Designation

**Refreshment at the Fair, Inc.**, Wilmington, Del.; concern formed to operate soft drink concessions at N. Y. World's Fair. New York office, Room 332, 120 Broadway, N. Y. C. Ralph Hayes, vice-president. Capital stock, 1,000 shares, no par value. Delaware headquarters, 100 W. Tenth street, Wilmington.

**Larry Spier, Inc.**, Chicago, Ill.; printing and publishing music, etc.; New York office, 1619 Broadway. Larry Spier, president. Capital stock, $15,000; $100 par value. (Julian T. Abeles, filing attorney.)

### Annulment of Dissolution

**Buster Keaton Productions, Inc.**, New York.

### Dissolution

**Bofan Amusement Corp.**, New York.

## CALIFORNIA

Sacramento.

**San-Val Theatre Corp., Inc.**; capital stock, 5,000 shares; no subscriptions. Directors: Chester A. Black, Seth Perkins, H. Tingle, Paul E. Younkin, J. W. Owens, Los Angeles.

**Small Landau Publishing Co.**, Hollywood; amendment to articles of incorporation, changing name to Small Publishing Co.

**Los Angeles Civic Light Opera Association**; opera production sponsorship; capital stock, none. Directors: M. J. Robinson, San Marino; Barbara Edwards, Pasadena; H. M. Phillips, F. N. Bushnell and E. Feldman, Los Angeles.

**National Philharmonic Symphony**; symphony orchestra organization; capital stock; four shares. Directors: Isidore M. Nobel, Frederick Feher and Milton M. Cohen, of Los Angeles.

**Yiddish Actors Union of California, Inc.**; capital stock, none. Directors: Adolph Freeman, Bernice Sacks, Fannie Reinhart, Los Angeles.

**Hilbert and Ames Productions, Inc.**; stage shows; capital stock, 200 shares. Director: Carl E. Hilbert, Paul D. Ames, Samuel S. Zagon, Los Angeles.

**Bay District Publishing Co.**; capital stock, 5,000 $1 shares. Directors: John B. Daniell, Boyden M. Henderson, Leroy L. Donkin, Emma Langston, Los Angeles County.

**Dale Productions, Inc.**; picture production; capital stock, 10,000 $10 shares. Directors: Murray Morris Dale, Leonard Dale and Ida Richards, Los Angeles.

**Sun Record Publishing Co., Ltd.**; capital stock, 25,000 $1 shares. Directors: Franklin O. Schroeder, Elmer J. Wolter and G. B. Harvey, Los Angeles County.

**Walter Kane, Inc.**; talent agency; capital stock, 100 no par value shares. Directors: Walter Kane, William Otto, R. E. Pirschel.

## DELAWARE

Dover.

**National Theatres and Concerts, Inc.**; promote formation of concert and theatrical associations; capital stock, 1,000 shares, no par. M. M. Lucey, K. M. Lucey, L. S. Dorsey, Wilmington. (Colonial Charter Co.)

**Eureka Amusement Co.**; general real estate; capital stock, 200 shares, no par. S. L. ackey, J. Slaughter, H. Kennedy, Wilmington. (Corp. Service Co.)

**London Amusement Co.**; operate theatres, hotels, playhouses, parks; capital stock, 100 shares, no par. L. H. Herman, Walter Lenz, B. R. Jones, Wilmington. (Corp. Trust Co.)

**Wil-Kin Theatre Supply, Inc.**; deal in costumes, scenery, seats and theatre equipment of all kinds; capital stock, 200 shares, no par. Arthur Isreal, Jr., C. A. Holloman, Samuel Boverman, New York. (The Corp. Trust Co.)

**Eudora of Hollywood, Inc.**; deal in toilet articles and cosmetics; capital stock, $250,000. L. H. Herman, Walter Lenz, B. R. Jones. (Corp. Trust Co.)

**Evergreen Theatres Corp.**; capital stock, $1,000. (Corp. Trust Co.)

**RKO Radio Pictures of China, Inc.**; general motion picture business in all branches; capital stock, $10,000. Robert H. Hann, George Muehlke, Long Island; Gordon E. Youngman, New York. (Prentice-Hall, Inc.)

**Cosmograph Pictures Corp.**; general amusement and theatrical business; capital stock, $250,000. J. M. Townsend, A. L. Roughley, M. S. Cook, Dover, Del. (U. S. Corp. Co.)

# Preacher Sues

(Continued from page 1)

of persons who disturb church services by honking, tooting and loud talk.

A recent lottery charge against Chandler in connection with his bank night was dismissed.

Bristow, Okla., April 5.

H. A. Walling, manager of the Princess, moved banko from Wednesday to Tuesday at the request of the minister of a local church.

The minister complained that his parishoners had complained to him that they could not come to church on Wednesday without chancing loss should their names be called.

New Britain, Conn., April 5.

Rev. Dr. Wofford C. Timmons, pastor of South Congregational Church, answering WNBC parishioners' problems under sponsorship of W. L. Hatch Co., insurance-real estate.

Questioners mail worries to minister or station or leave them in conveniently-located boxes and preacher takes them up during Sunday half-hour, 'What's on Your Mind.'

# Theatres-Exchanges

Los Angeles.

Alpha theatre, Fox-West Coast's new house in suburban Bell, was unveiled last Friday night (1), with Fred Levey as manager.

Circuit appropriated $18,000 to repair damage done by the recent floods to its Fox theatre, Anaheim, while another $25,000 will be expended for remodeling of its Lyric, Monrovia.

L. A. Brin has joined the staff of Grand National's L. A. exchange to handle sales on three Spanish versions recently acquired by the outfit. He was formerly in the Spanish film distributing field.

Des Moines.

Plans for the new Hiland theatre, outlined by David H. Dewey, head of maintenance for Tri-States, call for a building 50 by 130 feet to seat 650 persons. Work will start May 1 and opening is planned for Sept. 1.

Oklahoma City.

The Theatre, Spavinaw, was destroyed by fire started when lightning struck clothing store next door. No insurance.

Jack Warren, assistant manager of the Sooner, Varsity and University, Norman, has resigned.

John Kniseley will replace Fred Cross, Hobart, to manage the University.

Firemen extinguished a fire in the projection booth of the Palace, Hobart, before the blaze was able to spread.

Cozy, Afton, reopened by W. L. Perry of Coffeyville, Kan.

Boynton, Boynton, leased to the Channell Amusement Co., of Tulsa.

San Antonio.

R. P. Condron, owner of the Bijou, La Feria, Texas, has announced the sale of his house to Hall Industries of Beeville, Texas. T. H. Holtz slated as new manager.

J. R. Forsythe, owner and op of the New, Falfurrias, Texas, has sold out to R. N. Smith, of Mission, Texas, who will take charge early in April.

Ellsworth, Me.

Graphic Circuit has awarded the contract for the general building construction of the new theatre in Ellsworth.

Philadelphia.

New Jumbo theatre conveyed by East Girard Amuse. Co., Inc., to Norman Lewis for $32,500.

Alterations will be made to Century here, including new front, new reproducing equipment and new seating. William H. Lee architecting.

Front and interior of Viola theatre remodeled by owner Dave Molliver.

St. Louis.

Bernard Fertges made manager of Bradford, Bradford, Ill. He is part-owner of house which has been completely remodeled.

Leonard Clark succeeded Eddie Clark as manager of Palace, Johnson City, Ill. Clark resigned to manage the Illinois, Metropolis, Ill.

Russell Armentrout, owner-manager of the Clark, Louisiana, Mo., has let a contract that calls for the expenditure of $20,000 for improvements.

Johnny Lane new manager of St. Louis office of Photoplay Advertising.

Tri-State Theatre Corp., Des Moines, purchased a site at Fifth and Euclid to build a 750-seater.

Danny Cross, doorman at Fanchon & Marco's Ambassador, downtown deluxer, suffered spinal injuries last week when struck by an auto while helping a crippled patron into the theatre.

# EXPLOITATION

By Epes W. Sargent

### Hitting an Anni

Columbus.

Loew' Ohio theatre promoted numerous special stunts to celebrate 10th anniversary of theatre's opening. Birthday cake in lobby was approximately four feet high and weighed 110 pounds. At special ceremony first day of anniversary week, cake was cut by mayor and 600 pieces were distributed to charitable institutions. Cake cutting ceremony was broadcast on WCOL.

First 10 boys and girls reporting to doorman that they were born on March 17, 1928—day theatre opened—were admitted free. Also first 10 couples reporting that they were married on theatre's opening day.

During week ticket No. 30,000,000 was sold and customer getting the ducat had his money refunded.

### Plugged Newsboy

Albany, N. Y.

Fabian's Grand, for its showing of 'King of the Newsboys' with Lew Ayres, Helen Mack and Alison Skipworth, had a tieup with Hearst's Times Union under which 'Newspaper Boys Week' was celebrated. A sticker was pasted on the top of front page of every copy of paper day before film began local run.

Advertised picture, with a caption 'Up From the Streets—Builders of a Nation—or Enemies of Society.' A box carried words: 'By author of Five Star Final.'

### Polo at Museum

Ben Washer, p.a. for Sam Goldwyn has arranged with the Museum of Science and Industry in Radio City, N. Y. an exhibition in connection with 'Marco Polo.' Will show development of things Polo brought back from China in his chamois bag and their present significance.

Also large miniature of the set used in the picture, two trailers, costumes and other properties connected with the film. Screen tests will also be made at the exhibit.

### Local Talent

Charlotte, N. C.

State theatre at Winston-Salem took a tip from the press book on 'Tip-Off Girls' and is making up its own pictures and art, taking the book as a pattern, but using local scenes and people.

It adds that certain touch to the build-up that the theatre is giving the show.

### Return Trip

Back during the Christmas holidays the Cowart & Shingler theatre at Edison, Ga., required the kids to check their guns at the box office before going in to view a western.

Just a gag that lived and apparently died, but the other day the Atlanta Journal made it the subject of cartoon, which brought kudos at no cost.

### Forewarned

Elk City, Okla.

Following blurbs appeared in newspaper advertisement for an April Fool preview at Johnny Wisdom's Elk theatre:

'The entire theatre staff going nuts that night. Yes, we know we are already daffy but we are going daffier.

'Our ushers may request you to find them a seat. Our cashiers may refund your money and then pay you to go to the show. Our operators may run the last part of the feature first and the first part last.

### Needed Gas

Tulsa, Okla.

Richard Talbot, assistant manager of the Tower theatre, recently started for the bank in a 1910 model Buick the theatre uses for publicity stunts. Seeing a parade wending down Main street, he decided here was a good chance for spontaneous exploitation, and joined in the long line of floats and cars.

Four hours later, after having had a mechanic work on the car for three hours, he drove back up to the front of the theatre. The car was only out of gas.

### Constructive

Harry Ormiston, handling Universal publicity, made a ten-strike last week when he sent all U exhibs a reproduction of part of a page from the San Francisco Call-Bulletin wangled by Hal Neides, of the Orpheum.

Suggested that it be made the basis of a lobby display, built up with art. Gives the exhibitor a good frame at little cost, which is what exhibitors want.

### Keeping It Up

Most good exploitation ideas seem to die young, but Metro's Short Story, monthly to promote the company's shorts, is plugging right along and getting better every issue.

That might explain the early death of some of the similar attempts which attempt to sell too intensively. Herb Morgan, who edits the sheet, puts stress on interest and makes it something exhibs reach for. And that's what does the selling.

### Warner's Folio

Warner Bros., through its song publishing subsidiary, Harms, has issued the first of what is intended to be a series of song folios containing hits from W-B films. Most of the titles are rather too dated to be of much sales value to the releases, but the folio carries a lot of exploitive material for Warner pictures that will react to the benefit of the theatres with the Warner product.

Almost as much exploitation as there is music, but the fans won't mind.

New York Theatres

There's a Better Show at the RKO THEATRES

PARAMOUNT TIMES SQUARE
HELD OVER
Ernst Lubitsch's 'Bluebeard's Eighth Wife' GARY COOPER CLAUDETTE COLBERT
IN PERSON Guy Lombardo and His Royal Canadians ELLA LOGAN

HELD OVER! 2nd SMASH WEEK
OVER THE WALL
WARDEN LEWIS E. LAWES
25¢ Strand
OPENS 9:30 A. M. to 1 pm
B'way & 47th St.
Beg. Sat., "Women Are Like That" with Pat O'Brien and Kay Francis

Last Times
"GIRL of the GOLDEN WEST"
—Starting Thursday—
MICKEY ROONEY
"Judge Hardy's Children"
with
LEWIS STONE — CECILIA PARKER
FAY HOLDEN
CAPITOL BROADWAY at 51st STREET

7th Av. & 50th St.
ROXY
ALL SEATS 25¢ TO 1 P.M.
"In Old Chicago"
—On the Stage—
New Stage Show

Loew's STATE
BROADWAY & 45th STREET
TODAY
"EVERYBODY SING"
Vaudeville—BERT WHEELER
Starts Thursday
"THE ADVENTURES OF TOM SAWYER"
In Person—ALLAN JONES

RADIO CITY MUSIC HALL
"ADVENTURES OF MARCO POLO"
Spectacular Stage Productions

Are you using MAKE UP TO THE BEST ADVANTAGE?

Send NOW for FREE copy of remarkable new booklet that tells at a glance exactly what make-up you need for any part — straight or character. The results of more than 50 years of experimental and practical experience in theatrical and cinema make-up condensed in 28 pages of clear, concise language that every professional will find invaluable. Newest and most complete make-up and color chart enclosed with each booklet. FREE for the asking!

Stein's 430 BROOME ST., NEW YORK CITY

# FREE SPACE TO RADIO BANNED IN L. A.; DAILIES FIRE ALL RADIO EDITORS

## Want Something for Buildup They Give Air Shows and Personalities—Press Agents Worried as Policy Due to Start Next Week

Hollywood, April 5.

Radio press agents are perturbed at publisher agreement among the downtown dailies to give free space only to the program logs. Dailies are determined to put up a united front to wring some advertising revenue from those bankrolling airshows. Under the tentative plan no publicity readers would be used on the radio page unless it is parcelled out against lineage allowed on amusement contracts.

Hearst sheets on Coast last year put the bee on radio and stripped the pages of all but the bare log. Manchest Boddy, publisher of the tabloid a.m. and p.m. News, used his padded columns as a circulation-getter with success. Examiner lost many subscribers before the old order was restored. This time it is said Boddy will join with the others and really crack down.

Considerable talk going the rounds about radio stations chipping in to put out a publicity sheet of their own in the event an embargo is slapped on news by the five metropolitan dailies.

Publisher agreement goes into effect next Monday (11) with all downtown dailies posting a bond to insure their complete cooperation. Town will be bereft of radio editors as notices of discharge have gone out, effective as of April 11. Only log rollers remain.

Those dropping off the payroll are Dale Armstrong, Times; Raine Bennett, Herald-Express; Rudy Block, Examiner; James Harper, morning and evening News.

There's some talk going the rounds that stations may withhold logs from the sheets in reprisal and to force a quick showdown. Also mentioned is a sheet for house-to-house distribution containing only radio news and advertisements contributed by sponsors.

Harlan Palmer's Hollywood Citizen-News is steering clear of the issue and will continue to print both news and the logs. Understood sheet is watching developments and withholding any commitment to the general publisher agreement.

Des Moines, April 5.

Small town newspapers in this region co-op with KSO and KRNT, Des Moines, and WMT, Waterloo, on publicity, despite fact stations are owned by only Des Moines dailies, Register and Tribune, properties of the Cowles family.

One angle is that stations do not antagonize the 200 other papers in Iowa by feeding them too much publicity of commercial complexion. Recent state basketball tourney, which the broadcasters carried in unison, got reams of space from the small sheets. Another program regularly well received by the rival publishers is 'Iowa Speaks,' which is a remote picked up from various communities throughout Iowa.

Policy at WHO, local station without the Cowles veil, does not send small papers releases unless there's a local flavor or angle in the praising. Station p.a., Woody Woods, maintains close contact with Iowa Press Assn, annually providing free talent for organization's banquets. Another touch recently on the situation was sending daily releases from station to home-town papers of all entrants in Golden Gloves boxing tournament, which station carried. WHO also gets co-op from publications by saluting different whistle-stops its 'Sunset Corner's Frolic.'

Seattle, April 5.

Station KIRO is not only breaking bread with the neighborhood weeklies in this district but sharing its twin beds with the pastureland editors and consequently getting more publicity breaks and recognition than some of the other majors.

Each week one of the weekly owners or editors from the hinterlands is brought to town by the station, taken in hand and turned loose in front of the mike for 15 minutes to tell the listeners about his home town, advantage of the weekly over the big daily in the small burgs and other c. of c. stuff that pleases the ruralites.

### Hizzoner's Compliment

WNYC, New York's municipally owned, non-commercial station, is now appending this copy to the conclusion of its bigger, fancier broadcasts:

'His Honor, the Mayor of New York, hopes you have enjoyed this program and will listen in when next it is heard (time and date).'

## FDR, JR., TO AIR CREW RACE 'CASTS

Like his brother, Elliott, now a radio broadcasting executive, Franklin D. Roosevelt, Jr., is radio-minded. But more in an annuncorial manner. In between his post-graduate work at the University of Virginia, the President's son commutes to New York and has become quite a fave with the Conga-21-Stork club bunch. He's particularly friendly with Ted Husing and as a Harvard varsity crew man will co-announce with the CBS spieler some of the crew races this spring.

Mark Hanna, who books the Vitalis and other radio programs, also has F.D.R., Jr. lined up for an April 25 interview on the 'For Men Only' show.

### Maxine Gray Unlikely To Make Kemp Comm'l

Maxine Gray, vocalist with the Hal Kemp orchestra, is not expected to be with the outfit when it debuts on the Griffin Shoe Polish program April 19 on CBS.

Singer is still suffering from injuries received in the train wreck which laid the entire band up for a short time. Currently at the Drake hotel, Chicago, crew heads east April 14.

**Phillips Lord to Europe**

Phillips Lord sailed for Europe Thursday (31). It's a vacation from the 'Gang Busters' show (CBS).

He will be back in a couple of weeks.

### Old Gold Shopping

Old Gold cigarets is looking around through Lennen & Mitchell for a 15-minute program with which to replace George McCall's Hollywood gossip series at the end of May.

McCall will have been on 26 weeks.

## RADIO TAX IMPROBABLE

Washington, April 5.

Fear of federal taxes on broadcasting is unjustified, as far as the present legislative outlook is concerned. Movement to impose a levy on either wattage or gross revenue has been sidetracked by the Federal Communications Commission's recent letter advising caution in considering a special tax, and the length of time remaining before the present legislative session ends is insufficient to allow the House Ways and Means Committee to give the subject thorough study.

With the FCC failing to lift a visible finger so far, Rep. Chester L. Thompson, the Illinois Democrat heading the subcommittee to take up the Payne-Boylan bill, said Monday (4) his group is extremely unlikely to hold hearings this year. Will wait on the commish.

Thompson's statement to VARIETY eradicated alarm among local industry reps, but did not stop the National Association of Broadcasters from filling their arsenal with ammunition for the fight with congress. Trade lobby will round up facts showing what a load the industry already carries in anticipation of hearings next year.

### Bill Stuhler's Deal

William R. Stuhler's attorney is ironing out the contract details of the new deal which Lyons & Lyons agency offered the radio head of Young & Rubicam agency to become chief of the L&L radio department. Latter agency would like Stuhler to start May 1.

Tom Neeley, currently handling L&L radio, will continue as is.

### Larry Menkin Leaves

Lawrence Menkin leaves CBS, N. Y., after months as writer-director. Will freelance.

Doing an original dramatization, suggested by Mayor LaGuardia to Evan Roberrts of WPA, under general title, 'One Third of a Nation' (but not related to play of that name).

## WB Closing Player List to Radio Unless Given Say on Prod., Credits

Hollywood, April 5.

Warners studio is tightening the screws on radio guest shots by its player personnel. Only where the plant has say-so on the material, a hand the production and the proper credits will it consent to its top billers doing an air turn.

Agencies buying talent are shying away from the Burbank lot at the same cautious distance as has been practiced on the 20th-Fox studio, where price tags for guest turns have been revised upward to a level which agencies term unreasonable and prohibitive. Studio is reported to take a fat cut out of every guest shot except in instances where contracts permit players to make their own radio deals.

Warners situation is said to be different inasmuch as the front office there is more concerned with credits than cash. The WB contention is that radio is reaping the benefits from players developed for pictures without giving the hatchery its just due. Guesters for Louella Parsons on Hollywood Hotel are not affected by the new policy 'as long as she complies with studio regulation.' Lux Theatre of the Air is also outside the pale of the verboten on the same premise. Only WB player with a star rating now doing radio Edward G. Robinson.

**Gruen Deal**

Studio's tieup with Gruen Watch provides for a heavy air buildup of student players on the lot. Another Warners show now being whipped into salable form by Transamerican is the 'Red Rider' outdoor series to be headed by Dick Foran. In both instances the studio and players are profusely credited and in the case of the latter, if and when sold, a contest will be complemented to give the exhibitor a break through an admission angle on the premium arrangement.

Only other studio that the agency lads call 'tough' is Columbia, which, fortunately for radio, isn't overburdened with air material. The others are playing ball, with Paramount gradually coming into the fold with what's left of their star list after the recent radio raids.

## Chain Income from Time Sales

### NBC

| | 1938 | 1937 | 1936 | 1935 |
|---|---|---|---|---|
| January | $3,793,516 | $3,541,999 | $2,681,815 | $2,895,037 |
| February | 3,498,053 | 3,295,782 | 2,714,300 | 2,758,319 |
| March | 3,806,831 | 3,614,283 | 3,037,873 | 3,025,308 |
| Total | $11,098,400 | $10,452,064 | $8,433,988 | $8,678,664 |

### CBS

| | 1938 | 1937 | 1936 | 1935 |
|---|---|---|---|---|
| January | $2,886,065 | $2,378,620 | $1,901,023 | $1,768,949 |
| February | 2,686,695 | 2,264,317 | 1,909,146 | 1,654,461 |
| March | 3,055,929 | 2,559,716 | 2,172,382 | 1,829,553 |
| Total | $8,628,689 | $7,202,653 | $5,982,551 | $5,252,963 |

### MUTUAL

| | 1938 | 1937 |
|---|---|---|
| January | $269,894 | $213,748 |
| February | 253,250 | 233,286 |
| March | 240,637 | 247,431 |
| Total | $763,781 | $694,465 |

## Columbia 19.4% Over March, 1937; Both Webs' 1st Quarter Well Ahead

March gave both NBC and Columbia record gross income from the sale of time and also rounded out the biggest quarter that either network has ever accumulated. NBC last month did $3,806,831, or a boost of 5.3% over the previous March, while CBS gathered $3,055,929, representing an increase of 19.4%. On the quarter NBC up 6.2% and Columbia, 19.8%. Both webs admit that with the current month of April the curve, as based on a comparison with last year's figures, will start moving in a downward direction.

Another angle about the March tallies is that they gave NBC's red (WEAF) link and CBS their first $3,000,000 month. Because of NBC's new policy of interchanging the supplementary groups this web will cease making, at least for trade consumption, a breakdown of the business done by the red as contrasted with the blue (WJZ) trail.

NBC last March grossed $3,614,283, while for 1936 it was $3,037,873 and for '35, $3,025,308. Columbia's total for the previous March was $2,559,716, as contrasted with $2,172,382 in '36 and $1,829,553 in 1935.

### GEORGIA MYSTERY DEATH

**24-Year-Old Announcer Dead In Auto When Found**

Griffin, Ga., April 5.

Joseph Allison Carter, 24, announcer on staff of WKEU here, was found dead in his parked car here last week. Mikeman was on back seat with head on pillow. Carter had left his bride of a day just four hours before and ostensibly was on his way to Decatur, near Atlanta, to tell his parents of his surprise marriage when he was stricken.

Carter became ill with a nervous disorder two weeks ago after he had handled radio broadcast here of President Roosevelt's speech, but his condition was not regarded as serious. Coroner's inquest returned verdict of death from unknown causes.

Burial was in Griffin.

## TRUE OR FALSE WOWS CINCY; WILL REPEAT

Cincinnati, April 5.

So great was local interest in last week's True or False program, which originated here, that the J. Walter Thompson agency, which handles the account for the J. B. Williams Co., intends to do another broadcast of the show from Cincy in May, for which the 2,200-seat Emery auditorium will be used.

Last week's show was produced in WLW's largest studio, which was jammed to its 450-seat capacity. Program spreads to the Mutual coast-to-coast network.

Teams competing in the quiz, conducted by Dr. Harry Hagen, with Tom Slater as announcer, were selected from the women's committee of the Cincinnati Symphony Orchestra and members of the Cuvier press club. Latter included a columnist from each of the three Cincy dailies. First prize winner was Ollie M. James of the Enquirer.

William E. Neagle, sales manager of the Williams company, came on from New York, as did L. K. Spencer, of the Thompson agency, who produces the show.

### Seattle AFRA Slows Up

Seattle, April 5.

Slowing up of demands for radio talent here has temporarily stymied formation of local chapter of American Federation of Radio Artists. Vic Connors, AFRA organizer, has made two trips from Frisco to this point. Was given lots of promises, but talent showed little enthusiasm for the dotted line.

Looked as though chapter would start off with membership of 50, but this has chilled in the last 10 days. With work plenty scarce and dog days approaching actors feel AFRA affiliation might be 'disturbing' to execs.

Some say knocking off of Dave Beck, labor leader, from his political pedestal in the recent primaries has partly accounted for the change.

## 20 Track Meets Sponsored By Coast Oil Co.

San Francisco, April 5.

Some 20 track meet broadcasts are being bankrolled by the Tidewater-Associated Oil Co. this spring over stations in California, Oregon and Washington. All major meets of the Pacific Coast Conference and independent colleges will be covered during the season, with seven outlets of the California Radio System being used in this state, and 13 Mutual-Don Lee stations in the Pacific Northwest.

For the finale of the track season, the Pacific Coast Conference championship at Berkeley, May 21, a hookup of 25 Mutual-Don Lee stations on the Coast will be employed.

Northern California meets are being reported by spieler Doug Montell, those in Portland and Seattle by John Carpenter, with Frank Bull covering Los Angeles events and Harry Lantry those in Spokane. The mikemen will work with two chief observers and three assistant observers. One monitor and two assistants are being utilized for each broadcast. Associated account handled by Lord & Thomas.

### Jello Summers in N. Y.

Hollywood, April 5.

Young & Rubicam Jello summer show, 'What Would You Have Done,' will originate in New York during Benny's 13 week layoff. M.C. not selected.

Hot weather stretch starts July 3.

# SINGERS ON A TREADMILL

## CBS' Healthy Belligerence

*(William S. Paley's speech was scheduled for delivery Tuesday night after* VARIETY'S *press time. These comments are based on an advance transcript.)*

Paley's surprisingly frank—for radio—discussion of the wider aspects of trade practice and Government theory must be regarded in some measure as an echo of certain speeches made by politicians at the last N. A. B. convention. While the professional never-say-boo boys of the broadcasting industry were putting a phoney glow of all's-well on these political remarks, it was obvious at the time, and it is now [illegible]-clear after Paley's talk, that the more thoughtful and realistic were not pleased by the inferences or the ideas expressed. And do not intend to let those inferences and ideas pass unchallenged.

Broadcasting and national politics, to say nothing of community politics, is too involved and interlocking a subject to be snap-judged but in the matter of sweeping trends broadcasters are on solid ground when they assert their right as business men to enjoy the benefits of their enterprise and industry so long as they manifestly do stay within the reasonable meaning of public interest, convenience and necessity. The politicians seem disposed to create an Oriental maze of quibbles designed to prevent broadcasters from making business deals honestly and openly. Any system that thus requires respectable entrepreneurs to resort to subterfuges of bookkeeping and encourages hazy, contradictory and shifting interpretations of laws and parts of laws is a menace to healthy growth. Columbia's refusal to either apologize for its actions or fawn upon the politicians is bound to buck up the esprit of the trade.

## John Shepard Unnamed Villain Of Proposal to Curb Gambling News

Boston, April 5.

Newest development in the horse versus dog racing feud in this state is a proposed law practically aimed at one man, John Shepard, 3rd, prez of the Yankee network. Rep. Joseph A. Milano seeks legislation that would ban all radio stations from disseminating racetrack information.

Shepard is pro-nag and anti-pup in his financial interests and politics. Yankee network crusade against the latter was a big regional uproar of last fall. Both sides tossed names about but did not have a showdown. Milano bill is hinged on stations' use of several hours of racing dope, without giving any general news every afternoon. Track condish, scratches, odds, etc., dominate. 'Hitler may invade Austria, Japan may invade China, [illegible] scientist may find a cure for cancer, but if the citizen wants to learn of these events on the radio he must wait until after the eighth race,' says the advocate.

He said radio propagates gambling among the poorer classes who register their bets with honky tonk bookies, which he compared to prohibition days' bootleggers.

State Senator Thomas M. Burke at same time labeled the Hub's downtown district as a 'hotbed of racing tipsters and racketeers.'

## ACES' VERBOTEN GAG INVOLVED GAMBLING

Beauty parlor sequence [illegible] the 'Easy Aces' [illegible] for Anacin was quickly written out by Goodman Ace when NBC objected to his plot including the use of the imaginary beauty parlor for a gambling bets placement bureau. Even [illegible] fun it was verboten, said NBC.

Meanwhile Aces have been linked into an uninterrupted half-hour under the new advertising maneuver of eliminating the quarter-hour station break and slipping in, instead, a spot announcement for another of the American Home Products. Opening announcement now reads: Listen to a half hour of entertainment including the Easy Aces and followed by 'Mr. Keen, Tracer of Lost Persons.'

Some listener confusion reported from latter custom.

**De Haven to WTCN**

Tulsa, Okla., April 5.

J. Robert De Haven, chief announcer and sports commentator of KVOO, scheduled to leave April 15. Becomes program director of WTCN, Minneapolis.

## Whiteman's Radio Commercial From N. Y. Fair Grounds

Plan to make the Junior League Ball a strong substitute for the usual Beaux Arts, at the Preview Celebration of N.Y. World's Fair, took definite shape last week with engagement of Paul Whiteman's band to play for dance. Ball will be held April 29 at the Fair Grounds in Flushing Meadows, in large administration building.

Whiteman will broadcast his usual Chesterfield program from the Fair site, with added bally for coming Fair and the preview celebration.

**Beatrice Tate Wright,** organist, being heard over Alabama Network from WJBS, Gadsden.

## 'FOOL-PROOF' WAY CRAMPS STYLE

### Statistics Rather Than Free Choice and Individualism in Song Material Seen as Hurting Radio in General by Shutting Out Special Material, the Former Mainstay of Vaudeville

### FRANKENSTEIN HITS

By BEN BODEC

Many music publishers and performers hold the advertising agencies (conditioned by sponsors) basically responsible for the vicious circle which prevents singing personalities from being known by the type of material they use. Agencies are accused of not only functioning musically along the lines of least resistance but discouraging any vestige of initiative when a vocal performer seeks to equip himself with specially fitted material. Failure of radio to create new vocal personalities in recent years is attributed to this agency insistence that the performers do the songs which have achieved top popularity rating through the high pressure and string-pulling tactics of Tin Pan Alley.

Unlike the mode which prevailed in vaudeville's heyday when a performer was associated with a particular song or type of material, commercial radio tries to crowd them all into the same norm. There is no such thing as scouring the publishing field as of yore for material that is different or likely to suit the artist's style or aptitude. All the agency is interested in is whether the tune has made the top brackets of the previous week's breakdown of network plugs. How these tunes are pushed up there is of no concern to the agency. If it's up there it must be good and the artist is saddled with its performance regardless of whether it will further his or the program's prestige.

Taking their cue from the agencies

(Continued on page 26)

### Expensive Favor

Hollywood, April 5.

Robin (Bob) Burns [illegible] not one to welch. When Dale Armstrong, L. A. Times radio ed, asked Burns to appear free on his Radiolio program, he consented despite the fact that he would be penalized for one of the four outside guest shots allowed on his J. Walter Thompson contract.

Rustic made [illegible] issue of it with the agency but even though he lost the decision he stuck to his word with Armstrong. Burns is quoted at $5,000 for a guest turn.

## MARCH OF TIME AIR SHOWS FOR ENGLAND

British Broadcasting Co. and Time, Inc., are now working out an angle through which the radio 'March of Time' may be presented to English audience. Eagerness to make available the air news dramatizations is apparent on both sides.

Being mulled is whether the broadcast weekly (NBC) should be shortwaved, or waxed and shipped by fast boat. This month the program gets a sponsor again in Servel (Electrolux), and plugs for the bankroller, of course, would not be carried by BBC. However, some institutional plugs for Time and Life mags would be inevitable and that's an angle the publishing firm is seeking. Both weeklies sell abroad.

Time, when quizzed, said 'We have no statement at this time.'

## Associated Press Looks Likely To Enter Broadcast News Field; A. P Members as Selling Agents

With the Associated Press membership expected to agree to the sale of AP news to radio stations when the group holds its annual meeting in New York this month, the broadcast trade is wondering whether the new policy will [illegible] the eclipse of the Press-Radio Bureau. AP officials say that any prediction would be decidedly offside, since it is not known how far the AP membership will go in making the news [illegible]ilable to broadcasters. It [illegible] also pointed out by AP execs that any relations between franchise holders and stations or advertisers would be subject to the approval of the AP's board of directors.

Under the plan which is slated for airing at the annual meeting, AP members would be the selling agents for the service, as contrasted with the International News Service's and United Press' device of selling through the central organization. The general arrangement for news disposal will be set up during the coming meeting and whatever deals the members subsequently make will have to be sumitted for the AP board's okay at its next and earliest meeting. Being co-operative in ownership and function, the AP has no alternative when it comes to matters of policy adoption and servicing of new customers.

If the AP membership approves the proposition now before it, four years will have passed between the time radio and the press entered into a truce, marked by the creation of the press-radio bureau, and the AP agreed to make its news a commercial commodity in broadcasting. The UP and the INS have been in this latter field three years.

## METRO SHORTS FOR WHN USE

WHN, Loew-owned N. Y. indie station, is working out a deal with the M-G-M shorts department whereby the station will dramatize over the ozone short subjects which the film company has made. Entire library of shorts will be made available.

Herb Morgan, Metro shorts' [illegible]ploiteer, [illegible] now clearing the radio rights to the films. Included in the list will be the 'What Do You Know?' series, which deals with psychology, subject radio has been evincing much interest in lately as fodder for program productions.

## WLW BARN DANCE HALVES CO-SPONSORED

Cincinnati, April 5.

Tom Wallace, of the Russell M. Seeds Co. agency has arrived from the West Coast to hypo exploitation of the Renfro Valley Barn Dance Saturday night show, originating [illegible] Music Hall and broadcast by WLW. Production is directed by John L. [illegible] also of the Seeds staff.

Starting this week the Brown & Williamson Tobacco Co. will sponsor the last half of the 60-minute aired portion of the programs to be titled Plantation Melodies. Blurbing will be on Bugle cigarettes. New account follows the 26-week contr[illegible]t of the Keystone Steel & Wire Co.

First half hour [illegible] sponsored by the Allis Chalmers Mfg. C[illegible] and extends from WLW to the Mutual web.

Jack Chapman, husband of Margaret Lily (Aunt [illegible]), headlined femme of the show, left the hillbilly troupe this week to operate his summer [illegible] Rockaway Beach, Mo.

## Paley Challenges Theory That Govt. Should Set Prices or Regulate Programs

Columbia, through its president, William S. Paley, took to the air last night (Tuesday) to defend network control of radio, the right to unrestricted profits from the medium and the privilege of open barter between the sellers and purchasers of stations. Paley presented his web's side of these issues through the device of reading to the listeners his annual report to the CBS stockholders.

Paley declared that the Federal Communications Act had not intended to convey to the commission any authority to regulate the sales price of a station or anything having to do with the business operations of the medium. He said that while Columbia had been criticized for paying a large sum ($1,250,000) for KNX, Los Angeles, the facts were that it was bought at the best price the network could negotiate and to better its service to the listeners in that area. Paley stated that he saw no reason why [illegible] public agency should have the right to fix the price of a radio station any more than telling [illegible] newspaper proprietor what the sales figure shall be for his property. This attempt at regulation impressed the CBS prez as economically unsound and unfair.

Paley also held that the network's own operating and economic problems should govern its acquisition of stations and thought that there should not be a 'false assumption that the public interest is being endangered or monopoly is threatening when now and then' it buys or leases [illegible] outlet. He argued that program regulation through such agencies as the FCC is unnecessary under [illegible] competitive private system and that it [illegible] unwise for the American people to allow the whole broadcasting system to rest [illegible] the authority of a government group to issue licenses of only six months duration. Paley urged that licenses be issued for a term of years, with the broadcaster compelled to 'agree to freedom of the air, fairness of the air and non-partisanship of the [illegible]ir as a condition to getting a license at all.' In developing the last point, Paley said:

**Must Be Neutral**

'By freedom of the air we mean the right of any speaker to express his views, subject only to general laws and the laws of libel [illegible]nd slander, the rule that he may not seek to provoke racial or religious hatred and the ordinary limitations of good taste and the decorum appropriate to the homes of the nation.

'By non-partisanship we mean that broadcasting [illegible] instrument of American democracy must forever be wholly, honestly and militantly non-partisan. This is true not only in politics, but in the whole realm of arguable social ideas.

'To put it another way, we must never have an editorial page, we must never seek to maintain views of our own, on any public question except broadcasting itself. Moreover, we must never try to further either side of any debatable question, regardless of our own private and personal sympathies. But, of course, I do not mean that any broadcaster as [illegible] individual may not on occasion express his own views [illegible] controversial issue like [illegible] other citizen, governed by the principle of fairness which I mentioned a moment ago and which I [illegible] about to define.

'By fairness [illegible]an that no discussion [illegible]st ever be one-sided so long as [illegible]y qualified spokesman wants to take the other side. The party in power must [illegible] dominate the air. No majority must ever monopolize. Minorities must always have fair opportunities to express themselves.

'These are doctrines to which we believe all broadcasters well may subscribe. I do not believe it would be amiss for the Commission if it has the pow[illegible] or the Congress, if the Commission does not have the po[illegible] to make adherence to these principles a prerequisite of having and holding a broadcasting license.'

# BROCKINGTON FURIOUS AT 'EFFRONTERY' OF PRIVATELY OWNED STATIONS

## They'll Get Very Little Consideration from Politicians in Future, He Tells Canadian Parliament —Favors Slapping Back with Taxes

Montreal, April 5.

Canadian Broadcasting Corp. apparently out to ride privately-owned stations harder than ever. Testifying before the House Committee on Radio at Ottawa, L. W. Brockington, chairman of the Board of Governors of the CBC, was particularly incensed at those private stations which had the effrontery to constitute themselves part of the spearhead of attack on the CBC.

Canadian air lines will be -trolled more completely than ever by the CBC, according to Brockington, with all high-powered stations in the future to be in the hands of the government.

No Canadian stations will from now on be permitted to receive power excess of 1,000 watts, and no stations now holding power of 1,000 watts or over shall be allowed to increase its power.

In addition Brockington intimated that the CBC would shortly take another slap at private stations by raising the station license fees, currently $50. Brockington considers that because some private stations in congested areas are showing $100,000 net profits through of public domain that they should be more heavily taxed than at present.

Whether sliding tax scale on power will be proposed or a fixed annual charge higher than the present will be made was not mentioned.

In reply to a question whether the CBC would take away channels now being used by private stations when the reallocation of wave-lengths in line with the Havana agreements is made, Brockington implied that the interests of the private stations would be of secondary importance as compared with the goal of the CBC in providing first-rate service to the people.

Chairman of the Board of Governors told the committee that the CBC was not inclined to recognize any final or continued ownership by any private citizen or private company of any channel in Canada.

Private stations will be relegated to purely local chores, under the present objectives of the CBC, with the ultimate idea of state ownership of all high-powered stations.

Complete government monopoly, according to Brockington, is undesirable at present.

Plans of the CBC, from the entertainment angle, are for a continuous 14-hour daily service including the best of the sustaining programs from the United States, some of the commercials, the most interesting of the British Broadcasting Corp. programs, and the topnotch Canadian programs.

Threat to newspaper advertising, envisioned when Standard Brands tied up with the Canadian Broadcasting Corp. network, has failed to materialize. J. Walter Thompson Agency reports that newspaper appropriations in the 17 key cities will be continued.

Thompson Agency has withdrawn national advertising in some small towns, but only where results were negligible and attitude now adopted is that radio will be used to bolster but not substitute newspaper advertising campaigns.

In addition to Standard Brands products, agency policy will apply to such products as Absorbine, Jr., Barrett Roofing, Odorona, Peggy Sage and Lux Soap.

Agency executive claims that the Canadian Newspaper Publishers Assn. got the facts of the CBC network buy twisted, and that elimination of certain small dailies had been decided upon prior to the arrangement with the CBC.

Space will be taken where warranted and necessary and with budget appropriations in mind.

With publishers generally becoming clearer on this point agitation against the CBC has dropped off noticeably during the past month.

Commission appointed to investigate the operations of the CBC will begin to function this week. One of the first important witnesses scheduled to take the stand Lionel Brockington, chairman of the Board of Governors of the CBC.

### 'Greenwich Village' Wax Show East for Agencies

Hollywood, April 5.

Wax of 'Greenwich Village,' air musical, has gone east for agency audition. Hour show is mixture of music and dramatics.

Lou Brock, film producer, supervised the setup from script by Katherine Kavanaugh. Dick Weed agency drumming up a sale.

### Brewster Morgan Directs 'Hotel' as Nothing Heard Further About Bacher

Hollywood, April 5.

Hollywood Hotel will be produced by Brewster Morgan after May 15 when Fred Ibbett bows out after eight months at the helm of the Campbell souper. Ward Wheelock, agency prexy who handles the account, made the choice of the Columbia producer after it was reported he conferred with Bill Bacher, -time producer of the show, and Paul Munroe, director of recently folded Luckies Hollywood Parade. Morgan is understood to be drawing $500 a week on a year contract.

Morgan had been approached before on the job and last summer declined the post due to his production at the time of the CBS Shakespearean series.

Another departure from the show will be Addison Simmons, writer.

### FACSIMILE THREAT SUBJECT OF SKIT

Buffalo, April 5.

One of the skits in the annual party of the Evening News editorial employes, a gridiron affair, was based on facsimile. Sketch peered into the future and represented editors, writers, compositors, etc., panhandlers, their jobs having been eliminated by the radio papers.

Also showed the prosperous broadcast station manager discussing how improved the News had become since it was taken over by the radio men for facsimile. One of the manager's cracks was, 'Why, when newspapermen ran the News they were NEVER able to sell an ad for page one.

### Irma Glen Seeks Divorce

Chicago, April 15.

Irma Glen, radio organ thumper, has filed suit for divorce against Ted Hill, non-pro. Suit, filed in Waukegan, charges cruelty.

Bill also asks for restoration of maiden name, Irma Becklenberg.

### Talmadge Sisters Air

Constance and Norma Talmadge will reunite as a sister team on the George Jessel program over Mutual Sunday (10). The co-op sponsored program will originate on WXYZ, Detroit, in which town Mr. and Mrs. (Norma) Jessel will be playing a vaude date.

Constance Talmadge, retired from show biz, now resides in Chicago.

Spanky McFarland and George Jessel oppose each other as vaude headliners in Detroit, week of April 15. Former plays the Michigan and latter the Fox.

B.o. battle will get a respite on the radio, however, when boy actor will guest on the Jessel program over Mutual Sunday (17), when it airs from the motor city. Norma Talmadge (Mrs. Jessel) is also on the bill with Jessel.

### Insurance Week Observed More Realistically

Hartford, April 5.

There will be no nation-wide broadcast over NBC this year of National Life Insurance Week due to complaints of local life agents throughout the states that they were not the beneficiaries of any gains. Claim they want something concrete in which they receive plug.

Instead, a series of five 15-minute transcriptions are to be distributed by the National Committee, arranging for the week to be observed sometime in May, to all agents desiring them. These agents will buy their own time on their local stations and receive subsequent commercial plugs.

Guy Hedlund and Players of WTIC will start the waxing process sometime this week. Discs will consist of a series of dramatizations on life insurance situations, showing the need for this type of insurance.

### BILLY K. WELLS TO ACT; SID GARY AS PARTNER

Billy K. Wells will make his debut as a radio actor on a sustainer for station WOR, N. Y., withi the month. He will team with Sid Gary, baritone, in 'You'll Be Surprised,' comedy-singing skit.

Wells is also writing the material for the bit with station trying to peddle commercially prior to preem.

## Indie Broadcasters Meet A.F.M. Again April 21; N.A.B. Finances Statistics

Committee representing stations not affiliated with the major networks will again get together with the executive board of the American Federation of Musicians April 21. Meanwhile the committee has tained a firm of accountants, Ernst & Ernst, to gather data on gross come, musician pay rolls and employment, etc., from outlets involved with a view to having something tangible upon which to hinge its future discussions with the Federation.

National Association of Broadcasters is underwriting the expense of this statistical job and is providing the indies' committee with necessary legal counsel. It was the same firm of accountants that collected the figures for the network affiliated st tions and determined what percentage and amount each outlet would have to pay annually for musicians in meeting the industry pay roll agreed upon with the AFM.

### BILL SCHUDT TO CINCY; DELLAR BOSS AT WBT

CBS is effecting a change in the top-spot personnel of several of its m. and o. stations.

Bill Schudt, Jr. shifts from manager of WBT, Charlotte, N. C., to boss at WKRC, Cincinnati. John McCormick, who has been managing latter station, goes to WCCO, Minneapolis, as assistant to Earl Gammons. Lincoln Dellar, in Columbia's station relation's department in N. Y., will take over the reins at WBT.

### Larry Nixon's Book

Larry Nixon, p. , for WNEW, N. Y., will be published author soon. Little-Brown has accepted his 'Vagabond Voyaging.'

Tramp steamer travel has been his hobby for years.

### WIP'S POLICY

**Not Tying Up With Any One Sales Representative**

Station reps in New York last week received a circular letter from WIP, Philadelphia, asking them to keep that outlet in mind should they run into any business for the Philly territory. Letter stated that the station had no special rep and that it would pay the usual 15% commission.

A postscript asked the reps not to construe the 'request as an invitation to bid for WIP's national business,' and added that the station for the present time has no interest in signing up with any rep.

### Rain Turns Regina Pink With Optimism

Regina, Sask., April 5.

Rain, heavy rain for two days.

It may mean nothing in particular anywhere else than in Saskatchewan, drought-ridden for eight years. But with the whole life blood of the province's business depending on the sale of one commodity, grain crops, rain means everything. There is enough moisture now, with the wi ter's supply for germination, it is felt.

As a result, the upswing in business has been plainly felt. One radio station manager said his collections jumped 10% higher in one day than those for a full month before. It was also the biggest day's new business done since the station opened in 1929. Similar reports came from other stations.

Theatres predicted record breaking crowds for current and forthcoming preductions. The local theatres immediately announced renovation.

Saskatchewan, always a next year province, figures this is it.

### *Singers' Treadmill*

(Continued from page 25)

which employ them on the air, artists never ask a music publisher what new tunes he has on his shelf. The question invariably is, 'What are you plugging?' If the publisher suggests something that he thinks will fit in aptly with the performer's style the latter will ask for the latest breakdown of network plugs and if the song isn't in the upper brackets the performer becomes offended and wants to know why he should be singled out to do something that isn't well known.

If radio shows signs of becoming stagnant, the reason, say these pubs, can be partly credited to this strange phychosis among commercial impresarios of shying away from the unestablished or the distinctive. This analytical element of publishers sees no way out of dilemma, since the networks themselves have practically cut out all efforts at pioneering in showmanship and yielded over such functions to their clients.

Music publishing industry still contends that George Washington Hill, president of the American Tobacco Co., has done more to cramp the development of material individualists among radio performers than any score of advertisers ever associated with the medium. His Lucky Strike Parade may be credited with having made the weekly breakdown of network plugs the absolute and dominating fetish that it is today. This program's practice of rating the popularity of current tunes not only succeeded in making the advertising trade completely 'hit' conscious but, as the publishing business firmly believes, proved an enormously depressive factor in the merchandising of sheet music.

### Ford Concerts End June 5

Ford Sunday Evening Hour does its seasonal fade for summer off CBS with the June 5 broadcast.

Plans at present are that the sponsor will continue other Columbia program, Al Pearce and His Gang, through the hot months.

### CBS' NEW PAY ARRANGEMENT FOR ACTS

Columbia artists bureau last week converted the contracts of three of its sustaining singles, Barry Wood, Nan Wynn and Doris Rhodes, from non-guarantee to guarantee obligations. Under the old arrangement contractees were paid certain amount for every program date with 10% commission deducted for outside work. Network now guarantees them $65 a week, regardless of the number of sustaining shows they do, and the deduction from outside money is 20%.

Herbert Rosenthal, the bureau's manager, said yesterday (Tuesday) that the network had found that the per sustaining engagement basis had not worked out satisfactorily for performers. For those artists who have been doing three or more programs a week at $25 each the stop limit thing means no negligible slice in income.

### JANE PICKENS OFF TIRE SHOW TO TOUR

Jane Pickens temporarily off the Ben Bernie program, meanwhile filling in with vaude dates. Singer is currently at the Keith Memorial, Boston, and is down for two weeks at the Palace, Chicago, opening April 15.

She still has few weeks to go before her 13-week contract with U. S. Tire expires, fulfillment pendent on her vaude windup.

### STUNT GOES WRONG

**No Cooperation from Weather for Cherry Blossom Special**

Washington, April 5.

Bright idea of WJSV's Arthur Godfrey to cash in on Washington's famous cherry blossom display ruined by the weatherma:

Seven to 9 ayem program—ballyed as an opportunity for fans to 'see the beautiful blossoms tossing in the spangled sunlight on the vagrant Spring breeze,' while listening to Godfrey, his mooing cow, etc.— went sour for approximately 500 spectators who shivered in a spanking wintry gale, while Godfrey and Don Saunders, studio engineer, struggled with their transcription tables and microphones.

Rumpus created by amplifiers installed around the tidal basin was marred because 'sound waves froze' in the loud speakers, Saunders mourned. Only bright-spot in th early morning proceedings was the presentation of a newly-caught shad from one of Godfrey's fans who had been angling in the chill waters of the basin while the program was in progress.

### Winchell Will Have Okay On Substitute Gossiper

Walter Winchell has arranged for a four-week vacation from his NBC Sunday night stint for Jergens and he may take it in July. Lennen & Mitchell, agency on the account, looking around for a pinch-hitter, preferably another commentator. Latter's name will be submitted to Winchell for approval.

Same account and agency is scouting around for a show to go into the preceding half hour on the NBC-blue schedule after Tyrone Power goes on vacation at the end of June. Power is due back Oct. 2.

### Bailed Out in the Nick

Hollywood, April 5.

Hurrying to a broadcast, George Jay, KFWB announcer, was nabbed by the law as he snaked through a Los Angeles street intersection at 60 miles an hour.

Conductor of 'Hollywood Matinee' was resigning himself to the judge's decree of five days in jail lieu of $25 fine when a messenger arrived with the necessary capital. Jay arrived at the studio by a very slight margin for his 2 o'clock interview with RKO's Ann Miller.

# B.B.C.'S ARGENTINE ECHO

## NBC, CBS' Historic Faux Pas

Reports recently coming back to the American networks which have been broadcasting short-wave to South America will bring a change at least one theme type of program sent down to Uncle Sam's southern neighbors.

Both CBS and NBC, in beaming broadcasting to the equatorial countries, have often dramatized historical aspects of the settling of South America by white men. This theme necessarily embraces the era of the Conquistadores, when Pizzaro and his buddies conquered the natives and took over.

It seems there exists in all the countries concerned a distaste for having this phase of history exhumed and presented over the ozone. According to reports, feeling against presenting the period of South American history is motivated on one hand by shame and on another that accounts in many histories are exaggerated and misleading.

## Sports and Patent Medicines Dominate

### Australian Program Popularities—Don't Mind Plugs If They're Snappy—Horses Chief Interest

Sydney, March 10.

Description of gee-gees in running, mitt slingers action and cricket and football in play forms the basis of the top faves looked for by the local air fans. No matter how good program may be, imported or otherwise, sports when aired completely blackouts anything else. Last year wrestling topped as a program fave, but this year tipping has it that iring of grunters will not be quite so popular.

Within the next month or so full descriptions of cricket tests wil be coming from England in which the Australian cricketers are engaged. Already commercial and national stations are readying to provide service to the fans from early evening until early morning. Cricket that kind of a game. However, it is safe to state that stations not airing a description might as well close down. When the tests are on it means curtains for the rest of the air stuff.

It seems about right to say popularities here are as follows:

*Race track descriptions.*
*Glove fights.*
*Cricket.*
*Wrestling*
*Football.*
*Comedy hokum.*
*Melodrama.*
*Sentimental songs.*
*Good rhythm bands.*

Australians are not keen on the arty type of presentation. Don't mind commercial, but like it snappy and to the point.

Many local stations still haven't grown out of the old habit of sales talk-record-sales talk kind of broadcasting. Air is choked with patent medicines. So much so that it's beginning to smell. Government may bring in a law to curb quacks.

## WHOLE STATION STAFF STUDYING FRANCAIS

Regina, Sask., April 5.

Parlez-vous francais? Oh, oui!

No, not a headache, just the boys and girls around CKCK here doing their weekly French lesson. The whole staff has to take it. Manager C. V. Chestnut has just come back from the east, and says the network is bound to get more Francais the longer it lasts, everybody might just well know how it goes... Anyhow, Monsieur LeBlanc, the professor, wants more time on the air than he can pay for, so he's willing to take it out in lessons.

A cette moment la francais est lousay

## Ellington to B.B.C.

British Broadcasting Corp. shortwaves from N. Y. to London on April 29 Duke Ellington's orch. Another in the series of 'America Dances,' on which BBC shoots across fave U. S. bands

Will be the first time Ellington has appeared on the series. Band will be paid straight union scale.

## In London

London, March 22.

**After** two Transatlantic spelling bees, B.B.C. started series of domestic contests with teams of 'Over 40s' competing against crew of 'Under 20s'. Conducted on lines similar to the Anglo-American items, broadcast suffered from same defect as second of those programs—selection of perts instead of representative ordinary folks. 'Under 20s' were okay in this respect, were, in fact, an illiterate crew, fluffing 18 times in 42 tries. Veterans, on the other hand, with one exception comprised journalists, teachers and radio talkers; as a result they blew up only five times, making the contest far too one-sided.

Informal atmosphere, however, was well sustained, laughter and comments of the contestants getting over well, and Freddie Grisewood, spelling master, keeping the fun alive. He, nevertheless, might well be less talkative on future occasions, introductory chatter and anxiety to supply unasked asides taking too big a piece out of the time allotted.

**Second** in series of former films adapted for broadcasting will be 'Congress Dances,' to be aired March 30 and April 1, with Conrad Veidt in star role he played the film. Lilian Harvey's part will be taken by Eve Lister.

Adaptation is by 'Bunny' Marks, who adapted 'Top Hat'

**George Formby,** one of the biggest single names among British artists, has finally been signed by a sponsor. Is to do a series of broadcasts over Radios Normandie and Luxembourg, 15 minutes each, for Feenamint.

**Roy Fox** and band (he's American) has been signatured by Rickett's Bath Cubes for 26 weeks' ethering on Radios Normandie and Luxembourg. Title of broadcast will be 'Singing in the Bath Tub.' Deal closed through Morris Levy.

**Michael Barry** and Fred O'Donovan have been appointed Television producers at Alexandra Palace.

### Serenade Fritzi Scheff

Providence, April 5.

Get-well radio party was given over WPRO Thursday (31) for bedridden Fritzi Scheff. She is doing nicely at Homeopathic Hospital where she was taken March 26 for an emergency appendectomy.

Radio program was planned because hospital visiting hours conflicted with show time of pals in 'Hammerstein's Music Hall of the Air' at Fay's theatre. Ted Hammerstein was emcee on 15-minute spot.

### Folger to Gardner

Chicago, April 5.

Folger Coffee is switching to the Gardner agenc after several years with Blackett-Sample-Hummert.

Regional account still bankrolls the 'Judy and Jane' progra

## HASHED OVER NEW MUSIC PICKS N. G.

### Buenos Aires Reports Include Plagiarism Allegation on Argentine Song Used by B.B.C. Shortwave Program

### RAPPED

Buenos Aires, April 5.

Opening of a South American news service by the British Broadcasting Co. via short-wave got a heavy disapproval in radio circles of this city. Native press didn't comment at all, but Buenos Aires Herald, South America's most important English paper, spent much space in order to declare 'that this latest essay into the realms of international ether by the BBC is a wholesale flop.'

Principal objection against the BBC airings are that London cannot teach Buenos Aires or Santiago or Rio de Janeiro anything about music. South Americans, in the main, cannot afford expensive short-wave sets to pick up British programs. Nor are they interested in obtaining news which they already have read some time before in the local papers. Nor are they patient enough to listen in on programs in two languages.

General opinions are that it is one thing broadcasting news for the Arabs where there are no existing papers, and it is quite another thing to compete with the efficient press of Argentina. Everybody reads papers here, most read two or three a day. To give them over the air at night what they've all read during the day seems to be a futile beginning.

Concerning the music end of the inaugural program, it met also with much adverse comment in musical circles, on the grounds that its connection with Latin America was of the slenderest. Among the compositions selected as being suitable for the occasion was an 'Indian Love Lament' by Blamey Lafone, an Argentine composer absolutely unknown in local musical circles.

#### Complication

Referred composition is causing now a minor sensation in this city, because Mrs. Ana Schneider de Cabrera, Argentine singer, composer, and authority on local folklore, claims that it was a note-for-note plagiarism of a composition she wrote herself over a decade ago, although Blamey Lafonte was announced as the author. In a letter to Francisco Canaro, chairman of the Association of Music Composers, she brings this charge of plagiarism against Lafone, who is at present attached to the Argentine embassy in London.

'This 'Lamento de Amor Indio,' her letter adds, 'belongs to me, in all its parts and without changing a note. It was written by me and registered under the title of 'Adios te digo,' in the Copyright Department and three editions were published in 1925 by G. Ricordi & Co. I therefore protest against the usurpation, and demand that Blamey Lafone shall withdraw the work from the programs of concerts or wireless broadcast or, alternatively, that he shall honestly declare the name of the legitimate author.'

Association was asked to take the necessary steps to that end.

#### Egyptian Reaction

Cairo, March 17.

Local Britishers expressed astonishment at the thorough going-over British newscasts received in the Egyptian Gazette, English, by way of an article which St. John Philby, London-born adventurer but now moslem and resident in Arabia, wired from Mecca. Philby scored the Downing Street inspired broadcasts for covering up playing down important political events throughout the empire.

Britain's pussy-footing tactics was doing the home office no good, wrote Philby, because the omission of accurate information made it so much tougher to counteract the anti-Britist propaganda aired by Italian stations. Philby's dispatch took the British Broadcasting Co. to task for passing over news of troubles southern Arabia and rhetorically inquired why the news service was being maintained at all.

'If the Arab,' he added,' get the impression that the news is being rigged or censored they will not have much respect for anything they he on the radio.'

### Program Traffic Detour

Regina, Sask., April 5.

Bad storms east of Winnipeg upset CBC schedules for Thursday (31) with the result all programs had to come via the west coast. Rudy Vallee and Bing Crosby shows came up through Seattle-Vancouver instead of from Montreal-New York.

Club Matinee was off during the day, but CKCK here, fearing listeners would grow as sick as staff was of the recorded concert and symphony music sent through from Vancouver, put on a burlesque club matinee show with J. Lyman Potts directing. It proved a click.

## STATIONS TO DEMAND LINE PARITY

Montreal, April 5.

Executives of privately-owned radio stations in many parts of the country are hatching a plan to send a delegation to appear before the Radio Investigation Committee at Ottawa in order to lodge a strong protest against government monopolization of telephone lines.

Reported here that if unable to obtain satisfaction from the committee, station men may go to the Secretary of State for Canada for relief.

Under the rules currently enforced by the Canadian Broadcasting Corp. privately-owned stations must get permission from the CBC to use telephone lines. Station men are often held up until the last minute before being advised by the CBC as to which lines will be available.

Privately-owned stations generally believe the Bell Telephone lines to be superior, but are often allotted Canadian National Railway or C.P.R. lines against their wishes.

Unfair government competition is also charged, since the CBC is able to use railway lines at rates lower than those quoted to privately-owned radio stations.

## HOCKEY TIME JAM A BREAK FOR CFQC

Saskatoon, Sask., April 5.

Plenty of wire pulling necessary before CFQC here could cut itself free from CBC network to arry a full broadcast of Fli Flon, Manitoba vs. Trail, B. C. senior hockey playdowns, final game for western championship. CBC decided to broadcast it, but found previous commercial commitments would not allow it to be carried until 10 p.m. time for final period.

CJRM, not a basic station, at Regina, wanted to broadcast full game and had sponsors waiting, but could not get CBC permish to get into rink with result Regina Daily Star took up cudgels against 'dog in the manger' tactics. CHAB, Moose Jaw, in same boat.

As result, CFQC had almost every radio in the sport-mad province tuned

## British Transcription Exec Points Up English Radio's Peculiarities

Richard L. Meyer, general manager of International Broadcasting of London, which firm controls 70 hours of advertising time weekly on Station Normandie in France, is visiting the United States at present. Growth of English-language broadcasting beamed at the United Kingdom from four continental European stations of high power is emphasized by Meyer in terms of the comparatively large radio departments of several London advertising agencies at present and the increasingly radio-mindedness of many others, and their clients, who have previously been cool or hostile to radio.

Meyer designated, among others, J. Walter Thompson, Erwin-Wasey, Lord & Thomas, Erwoods and the S. H. Benson subsidiary, Spottiswode, Dixon & Hunting, among the pro-radio London advertising agencies. Only very small part of the British advertising dollar goes to radio, however, in contrast to the 25%, or thereabouts, the U. S.

Several major production problems face the radio sponsor in London. An all-musical policy, practically eliminating dialog as an entertainment formula, must be followed due to the foreign ownership of the stations employed. Almost no avenue of publicity through the press or ordinary channels is available in Great Britain itself.

Oddity of radio programming is that the English ear frequently dislikes English announcers and prefers Australians, Canadians, etc., because of more warmth of tone and manner.

#### Annuncorial Bias

United Programs, production subsidiary of Meyer's firm, deliberately 'peaks up' the commercial advertising message because of the British habit of tuning the radio very low. By peaking the sound volume every time the blurbing begins, United gets through this barricade. Meyer estimates the program department is grossing $5,000 weekly in building radio shows (100% transcription) in London for advertisers. Permanent staff includes nine writers, three producers and four announcers.

Fiscal arrangements for London-originated radio program differ several essentials from American practice. Agencies over there operate on 10% commission. Having no precedent to go by, the United outfit worked out its own system of billing advertising agencies on production expense. This is cost of orchestra and talent plus a fixed percentage for operating studio overhead plus a service charge. All radio programs are billed to the advertiser and payable weekly in advance—a notable variati from U. S. A. custom.

A musical revue now touring in English music halls is a tie-up with Radio Normandie called 'Belles of Normandie.' Plays on percentage with last half of second nightly performance once a week recorded in front of theatre audience. Alfredo orchestra and Joe Young head unit. This is first radio station theatre unit tie-up of kind to be tried in England, Meyer explains.

## Hummerts to London In June; Radio Spread

Blackett-Sample-Hummert agency is understood planning to place a number of commercial shows on stations Ireland, Luxembourg and Paris, aiming at British listen-. Frank Hummert and Mrs. Hummert are New York at present, but ill return to London about May 1 for an extended stay. They spent several months Europe some time ago.

B-S-H intends opening a London office.

**Jack Wilson,** formerly with the Associated Laundries program on WKY, Oklahoma City, has returned to the station with a musical show.

# *Follow-Up Comment*

**Whiteman-Chesterfield** program is of a new pattern, sans Oliver Wakefield as the permanent heckler and the name guester. Instead, it's gone swingo, with a series of hitting jivesters as the come-on for the juvenile audience Whiteman and his big sponsor hope to realize. It's a step in the proposed direction, but somehow the sum total still lacks eclat, elan and oomph. In short, a distinction befits the Dean of Jazz. And no amount of intimacy, calling him 'Pops,' etc., will do that. It's more than the mere will to achieve—it requires shrewder patterning.

As before, Chesterfield or CBS, which stages this show, evidence greatest deficiency on the production and scripting departments. Just parading a sequence of swingologists won't do it. Basically, the show is still Whiteman. He m.c.'s—and not bad, either, evidencing a nice address, perhaps a bit forced in its endeavor for conversational casualness, but with the maestro at the audible helm, as well as via baton, that department's well taken care of.

But paradoxically, for all the rhythmic yen, it still remains for those Whiteman arrangements to really boff 'em. As witness what and how he did with 'Ti-Pi-Tin,' playing that pop waltz a la tango, rhumba, swingo, operatic. And that takes in the other band chores.

Mildred Bailey's sweet-swing of 'Please Be Kind' was likewise highly efficient, but 'Washboard Blues' is strictly 52nd street or Local 802—the kids in the sticks, no matter their swing-sophistry, may take it or leave it.

Lani McIntire's Hawaiians from the Hotel Lexington gave out with a hula, which qualified 'em as a sort of grasskirt swing. Bunny Berigan sent 'Dark Eyes' into the Onyx Club and out through the Famous Door for his solo contribution. Coming: Tommy Dorsey, Joan Edwards and The Modernaires.

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**Jack Waldron** is the new helmster of Oxydol's Friday night underwriting of WHN's Amateur program in N. Y. If anybody can offset that marathon commercial bleat, injudiciously spotted right up front of the program, it's only because he or she must eagerly want to hear ams give out with their brand of stuff. Otherwise, Ray Saunders' spiel seems a surefire tuner-out, not his fault patently.

As for Waldron, vet nitery m.c., who has been heckled by the worst of 'em, and come up smiling, he could be a bit more at ease, considering the lack of distraction usually attendant to his conferenciering. Or does he miss the bedlam? He's an OK enough sub for Col. Flippen—incidentally he's become Col. Waldron, a billing that must go with the WHN mike—but could have impressed a bit better. It's chiefly material, rather than address.

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**Metro-Maxwell House** show last Thursday (31) over WEAF-NBC was a talky program, overcrowded with names and hocus pocus, weak comedy. Stated to be the first Hollywood program short-waved to Europe. This was to celebrate the opening of 'Yank at Oxford' at the Empire Theatre, London. In connection with this Louis B. Mayer, Lionel Barrymore, Jack Conway, Maureen O'Sullivan and Robert Taylor each spoke a piece. English notables and American ambassador Joe Kennedy were said to be on the receiving end.

Frank Morgan tossed a few gags back and forth with Taylor, of the ribbing variety to mark latter's return to the show. Connie Boswell sang two numbers. Gilbert Russell did a song turn, and Fanny Brice a 'Baby Snooks' piece. Script for 'Snooks' was poor.

Una Merkel also had a try at comedy which was mildy amusing as she described her projected mag piece on 'The Real Robert Taylor,' in terms of Una Merkel. Taylor replied by saying he would have a try at writing up 'The Real Una Merkel' in a similar vein. Parody sketch along 'Jekyll and Hyde' lines just so-so.

Aside from standard musical numbers, backstopped by Meredith Willson's band, show as a whole was below average.

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**Hollywood Hotel** program over WABC-CBS Friday nights for Campbell's soup has added Frank Parker in place of Jerry Cooper. Ann Jamison also bowed in last week (1). Show retained the same formula, however, with Ken Murray, Oswald, Frances Langford, Raymond Paige's orch, Louella Parsons and Ken Niles.

Nothing memorable in Parker's and Miss Jamison's appearance. Both were capable and both seemed to fit into the proceedings without difficulty. Parker sang 'I'll Take Romance,' Miss Jamison offered 'Springtime of Love' and they teamed for 'Make Believe.'

Frances Langford was stirring with 'I Need You More Than Ever,' but didn't negotiate the low notes of 'April in Paris' too well.

Murray and Oswald sweated to get laughs out of their routine but n.s.g. Dramatic session brought Charles Winninger and Alice Brady to the mike as toppers in a bit from Universal's forthcoming 'Goodbye Broadway' (from 'The Merry Malones'), with Tom Brown and Jed Prouty in minor parts. Material was only fair but Winninger and Miss Brady turned it into absorbing stuff.

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**'The O'Neills,'** script show now in its fourth year for Procter & Gamble (Ivory soap) on both CBS and NBC, continues to be a notch above its brother serials on script smartness and story as well as acting and usually production.

Yarn now has some heated intra-family controversy going on which makes for suspensive listening. Danny O'Neill is warring with his brother-in-law. When caught (1), two met in a nitery where brother-in-law was sitting with a warbler from floor-show. It ended up in fisticuffs, which gave the sound man a Roman holiday.

Alice Rinehart plays the singer and is doing nice trouping job. Doubling for her when she sings is Joan Edwards. Doubling done very slickly. Jimmy Tansey in his fourth year as the hot-tempered Danny O'Neill character. Very able.

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**Kay Kyser** 'Kollege of Musical Knowledge' now occupies the Wednesday niche on NBC formerly devoted to the Dick Powell show. Kyser arrives via Chicago sustainers and a preliminary whirl over Mutual for Luckies.

For the NBC getaway the hour was characterized by questions that were too easy and answers that were too literal. The stunt goes better when the replies get balled up. General idea, however, remains a bright innovation in pop music-cigarette merchandizing and should do okay over a summer that present indications suggest will be throat-high novelties and quizzes of all kinds.

Questions are just interpolations. Most of the broadcast time devoted to Kyser's brisk melody. He has originated the further stunt of - tro'ing song titles by having them sung off-key. And the man who does it, Harry Babbitt, has a real if perverse talent. 'Ginny' Sims is a nice femme vocalist with style and good pipes. Sully Mason, as a comedy singer, is in the groove and gives the orchestra a good pace change.

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**Rudy Vallee's** Royal Gelatine show last Thursday night (31) included an excerpt from the WPA's production of 'Prologue to Glory,' dealing with President Lincoln's youthful romance. While piece had a ring of sincerity, it was not very successful as radio entertainment, dealing as it did with 'Honest Abe's' rather mawkish attempts at lovemaking.

Handling the assignment were Stephen Courtleigh and Ann Rutledge from the Broadway cast. Piece didn't start off too well, but picked up somewhat as it went along. Courtleigh's assignment was a difficult one for air purposes. Ann Rutledge's voice had however much appeal and charm.

Joe Cook, billed by Vallee as 'my personal harbinger of spring,' was on with a version of his w.k. baseball story. Similar piece was stated by Vallee to have been on his program five years before and is of course familiar from vaude days. Cook's efforts glib as ever.

Vallee talked over with Peter Bateman-Champain the subject of rugby. Remarks were of modest interest, interspersed with weak gags and a very poor tag line.

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**Chase & Sanborn** show over NBC Sunday (3) was a weakie for the series. Seemed that formula and some of the standard personalities of the program have grown too familiar. Material below standard.

Joan Bennett guested and appeared with Don Ameche in a sketch, 'Society Nurse,' which was virtually a low in Hollywood hoke. It was pulp-mag style yarn about a Park ave. deb who decides to do something worthwhile in the world, so she becomes a nurse. Gang chief is machine-gunned within several blood tranfusions of his life and little nursie supplies the blood. Windup is the obvious. Announced on the show that Walter Wanger, after hearing a rehearsal of the program, had bought 'Society Nurse' for film adaptation and intends starring Miss Bennett.

Sketch was burlesqued then by a skit supposedly written by Charlie McCarthy, 'Nerts to Society.' It was just as effective drama as the original. John Carter celebrated his winning the Metropolitan Opera auditions by returning to the program. Sang three numbers, 'Funiculi, Funicula,' 'Romance,' and 'Moon of My Delight.' First was strong, second was indifferently sung and the third was sleep-inducing.

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**George McCall's** broadcast from Balboa Beach, Cal., scene of filming of Paramount' 'Spawn of the North,' seemed little different in pattern from old 'Hollywood in Person' program. However, McCall stated it was the first salvo ever to be fired from 'location.'

Grouping of players around a mike for an exchange of compliments, the inevitable verbal bouquets to director and producer, and the ballyhooing of a picture, has chief appeal to listeners who dote on hearing their screen favorites talk in a closeup. Probably meant more before Hollywood voices began to glut the air waves, although it still carries a punch for some dialers. George Raft, speaking in a straightforward, masculine manner, delivered as well as any of the 'Spawn' unit.

However, praise of Director Henry Hathaway for taking him out of the slick-hair class and permitting him to act, had been expressed before via radio.

## That Applause

Byron J. Lewis, editorialized in the Knickerbocker News, Albany, on question of studio applause. He wrote:

'What sagacity! What efficiency! The sponsors pay thousands for a radio program to amuse millions and then admit a few hundred people to applaud at the wrong time so the listeners-in can't hear. Oh, the master-minds, the supermen of business.'

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**Wrigley's,** in substituting the swing-singing Andrews Sisters on account's five-a-weeker over CBS for poetry-purring Franklyn MacCormack, has changed the character of the show. Jack Fulton remains to high-tenor ballads, but now there's a snappier contrast from the femme warblers with their harmonizing. Carl Hohengarten's orch remains basically the same, but has gone swingo more than formerly. Now a highly syncopated 'Liebestraum' is in order; before the Lizst piece would have been played as originally cleffed.

A nice juggle stunt is achieved once per program by having the girls swing out on a wholly jive arrangement of tune after Fulton gives it straight rendition. Formerly, Wrigley's had a femme voice some plugs for the product. Now announcer Dick Post gets some help from Pat Ryan, who steps up and bats out a broadcasting blurb.

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**Eddie Cantor's** Camel show was out in the clear Monday (4) for its second try. If the opener the week before seemed sub-Cantor and mixed up, this one had zip and breeze, no super cargo and what it takes generally. It suggested that the machinery was in gear and that the collaboration of Harry Conn was beginning to manifest itself.

Character (impersonated by a colored actress) of a saucy sweepstakes winner from Harlem was retained from the first broadcast. Got nice tally of laughs. Very topical, of course.

Benny Goodman from the Camel Tuesday show, on which Cantor announced he would reciprocate the next evening, brought along his quartet and they tore the chromatic scale and the CBS studio asunder. It was a sizzler.

Crossfire between Cantor, Bert Gordon and Dale Carnegie was amusing with Gordon misanthropically spurning the friendliness and popularity ideas of the be-lovable exponent. Too often on radio variety programs the celebrity of unique attainments or gifts is either not brought in on his natural plane of interest or is brought in so stodgy-serious that it's just a sustaining station interview seeded into a network commercial. Way Carnegie, heretofore, averagely dull when broadcasting, was lightened up into a comedy stooge, was both bold and clever.

With the laughs clocking in the better Cantor form, the show scooted in with plenty to spare. Cantor, who is one radio singer who will get away from the hit parade for musical numbers, had a patriotic finale, 'Your Land and My Land,' and made it sound sincere.

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**'I PAY FOR MY SEAT'**
**With Lawrence Grant**
**Interview-Narration**
**15 Mins.**
**Sustaining**
**Thurs., 11 a.m.**
**KHJ, Los Angeles**

Another offshoot of the film commentating cycle which acceptably fills a quarter hour spot. Idea as explained by Grant, whose English accent falls easily on the ears, is that newspaper critics don't criticise for theatre-goers. Ergo, he brings to the mike three lay persons to give their opinions of certain pictures. Good radio voices belied the statement they were picked at random. Metro's 'Yank at Oxford' got the going over, with results that should please the producers and the vigilant Hays office.

Each of the three interviewees was asked how the picture was liked and what faults were to be found. At the conclusion Grant smoothed over the objections and gave the film a rousing sendoff. Here, he clarioned, is the true critique from the cross section of fandom. Next week 'Bluebeard's Eighth Wife' draws the spotlight.

Grant shows a nice ir for radio and should rate an emcee spot where dignity and a good strong-timbred voice are wanted. He is a veteran of the stage and works smoothly with his subjects. *Helm.*

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**KATE SMITH**
**Talk**
**15 Mins.**
**Sustaining**
**M-W-F; 3:30 p.m.**
**WABC-CBS, New York**

Reaction to this experiment may provide engrossing sidelights on radio. Miss Smith, a nighttime network commercial headliner, launches a three-a-week daytime sustaining series on the same network. On the basis of the first program, scene-setter in large part, it seemed that the intention is to use her fan mail, developed through the nighttime audience, as the springboard for the matinee.

In many respects it sounds like something new in radio. For a considerable distance of the way it was a star talking about herself. At other moments snatches of fan mail sounded like sterling items for the daffodil column. Taking them as mccoy the letters ask the singer such questions as:

How two girls could build an annex to their cottage?

How a young couple should provide for their baby's health in taking a long trip in an auto trailer?

How somebody else would proceed to knit an afghan?

Underlying implication—seemingly conscious—is to dramatize the all-level, all-age appeal of Miss Smith. References to kids, collegians, the religious, the patriotic, the sick. And carrying out the characterization of the singer the great heart of radio.

In explaining at considerable length what she had to draw from—a 15-foot table described as piled high with letters, all classified by subject matter—and in developing her attitude as regards the program, singer had little chance on the getaway to give a sample of the output that may be looked for. *Land.*

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**'WHAT ARE YOU DOING TONIGHT?'**
**Bob White**
**15 Mins.—Local**
**Tues.-Thurs.; 4:15 p.m.**
**WBZ, Boston**

Bob White has a pleasing voice and projects intelligence in his ether chore. When caught (15) he had Toby Wing from the 'You Never Know' company for an informal interview to spice up the program. Showmanly handling of the chit-chat resulted in nice eight minutes to start off the program. Miss Wing responded spontaneously. There was a little gushing here and there, but so well delivered that it came out as far superior to the typical interview of this type.

White gave conservative, but informative, discussion of films playing in Boston and Springfield. These were hardly more than verbal directory ads. In addition there were a few terse reviews of current pix playing here and Springfield—all well turned out. And to close the session he mentioned wrestling and hockey events slated for that night—and finally a suggestion or two about NBC radio programs.

Airs Tuesday and Thursday afternoons at 4:15. *Fox.*

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**'PET PEEVES'**
**With Frankie Basch, Howard Doyle**
**15 Mins.—Local**
**Sustaining**
**Friday, 8:15 p. m.**
**WMCA, N. Y.**

Station has a fair enough novelty in this audience participation program, on which recruits from public can air their just-what-the-title-says. Every program depends for its rating on what peeves are presented and how. It would be better to weed out applicants and see that some of the grouches are humorous, and some at least novel. These points weren't particularly looked to when caught (1).

There's nothing novel in squawks about people talking aloud in filmeries, nor objecting to house-to-house canvassers, nor (from men, of course) about gals cusmeticizing their phizzes in public. Originality is essential.

Frankie Basch, jill-of-all-interviews on WMCA, takes this assignment in her stride. Her spontaneity and ebullience hit a false note occasionally, probably from overworking these two qualities. She does, however, keep a fast pace and is trigger-quick on tongue and thought. Howard Doyle is standard his job of sorting out the peevers and presenting them to Miss Basch for quizzing. *Bert.*

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**'THE CRIMSON COCKATOO'**
**W.P.A. Spy Story**
**30 mins.**
**Thursday, 3:30 p.m.**
**WINS, New York**

'The Crimson Cockatoo' may be a rather intriguing title but its story fails to produce the same effect. Sponsored by the Works Progress Administration as one of a series of spy stories, supposedly taken from a real espionage incident during the World War. 'Cockatoo' was wordy and inanimate Thursday (17), belying an introductory narrator, whose spirit and zest promised big things during the ensuing half hour.

'Cockatoo' showed spots of careful preparation. There's an Oriental background, which the radio dramatists attempted to steep in mystery, but copious dialog shrouded the plot.

Cast is plentiful, with the Chinese dialects obviously undertaken by Occidentals, several times almost to a point of unwitting comedy.

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**PERCY WINNER**
**Commentator**
**15 Mins.—Local**
**Sustaining**
**Tues.-Fri.; 6:45 p.m.**
**WQXR, New York**

Percy Winner is the former exec of NBC's shortwave dept., concerning whom rumors—denied by NBC and never officially made by Winner, although widely circulated at the time—were heard. Report was that fascist pressure forced him out.

After hearing him pitch into the dictators on WQXR, it's at least plausible that his strong feelings made him a bit embarrassing to a network trying to walk the fence of neutrality.

Winner is neither the best nor the worst of the commentators on European affairs. His voice is not a model of resonance though the diction is okay. He frankly gives opinions, answers questions on a basis of his personal viewpoint, and makes no attempt to be a reporter.

Lines up with the liberals. *Land.*

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**'LISTEN'**
**With Herb Allen**
**Program comment**
**15 Mins.—Local**
**SHASTA WATER**
**Sunday, 2:45 p.m.**
**KFRC, San Francisco**

On the air for more than four months as a sustainer, this quarter-hour Sunday afternoon program devoted exclusively to reviews of radio shows, regardless of station or network, finally landed a sponsor. Penned by Pat Kelly, KFRC press agent, and read by announcer Herb Allen, 'Listen' is unique.

Occasional sponsors' names are mentioned, although all network or station identifications as such are avoided. Kelly's copy is well written, and Allen's reading is snappy, smooth and easy on the ears.

Sound of Shasta Water being poured into a glass is used neatly to identify the program, following the opening command, 'Listen!' given by a second announcer. No commercial copy is used at the opening, but is woven into the script in two spots during the 15-minute period. Plugs are fairly brief and in good taste.

First item dealt with the rumors of General Motors' possible return to the air with a Warner Brothers' tie-up, bewailed choice of Dick Powell for the super-special in view of the ill-fated Hollywood Parade, mentioned Kay Kyser Kollege of Musical Knowledge, the new Tim and Irene show and its weekly contest, the return of Gene and Glenn—who were described as 'very unfunny.' Opinion was expressed that Mickey Mouse, Donald Duck and other Walt Disneyites are better on the screen than on radio.

News items included squibs on Jack Benny's March 27 stunt in the east, a new show being contemplated by George Jessel to be built around Mack Sennett and early day screen comics; a new Walter Huston dramatic series penned by Arch Oboler. Script included also a biog of Kate Smith, a rap at the networks for overplaying 'I Double Dare You' and 'Thanks for the Memory' during the past week; references to several new recordings by various dance bands, a review of the National Barn Dance, which was handed a verbal pat on the back for its entertainment and a rap for overlong commercials; applause for Margaret Speaks and the Firestone Chorus' singing of a 'Cavalleri Rusticana' excerpt, Eddy Duchin's playing of 'Just a Memory,' Nick De Popolous' description of 'Snow White and the Seven Dwarfs' a Fibber McGee show.

Panned were Jimmy Fidler for his stand on the double bill question in film houses; Fred Allen for going overboard in plugs for his recent picture; Hollywood Hotel's preview of the Allen picture minus the two principals, Allen and Alice Faye; Hollywood Parade for announcing the appearance of Charles Boyer and Margaret Lindsay and then substituting Fred MacMurray in a sketch that the 'Listen' author razzed roundly. Dinty Doyle's commentary in George McCall's customary spot was highly commended.

Program closed with answers to listeners' questions.

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**'MOTOR CITY MELODIES'**
**With Sam Benavie's Band, Three Aces, Golden Tower Chorus, Don Large, Franklyn Mitchell**
**Music, Songs**
**30 mins.**
**Sustaining**
**Saturdays, 2:30 p.m.**
**WJR—CBS, Detroit**

Long a noctural faye under tag of 'WJR Presents,' half-hour musical show has been moved to the mid-Saturday afternoon slot, re-titled 'Motor City Melodies' and shipped out to CBS.

It's an entertaining effort all around and shapes up to network standards. Golden Tower Orchestra, under Sam Benavie's baton, turned in nifty job on arrangements, especially on 'Smoke Gets in Your Eyes' on show caught. Three Aces, male trio, which has been heard over webs frequently, continue good work; ditto on Golden Tower chorus, under Don Large's direction. Franklyn Mitchell handles the m.c.'ing nicely, but script bogs down occasionally. *Pete.*

### GRACE MOORE
**Andre Kostelanetz, Deems Taylor**
**Songs, Orchestra**
**30 Mins.**
**CHESTERFIELD**
**Wed., 9 p.m.**
**WABC-CBS, New York**
*(Newell-Emmett)*

Grace Moore took up where Lawrence Tibbett left off in this concert name marathon but her initial performance (30) didn't show the soprano off at her best. By reputation this is one show where the uspices cut a lot of technical engineering didos and the chances are that with few more manipulations of the mikes and controls (or whatever it was), Miss Moore might have been didoed entirely out of the broadcast.

Choice of her numbers—all from her pictures—was okay and the upper tones came through beautifully, but the song diction suffered from blurring and muffling. Verbal results were decidedly different and in her favor when she got around to exchanging banter with Deems Taylor, the program's annotator.

CBS and Chesterfield did well by themselves in following up Tibbett with 13 weeks of La Moore and the only thing that can stop her from meeting, if not better, the popularity average rung up by the baritone this faulty technical handling.

Part of Miss Moore's current act is to introduce each week some vocal prodigy. First was Glenn Darwin, who said he was 25 years old but with 16 years of singing behind him. His fine light baritone tied up well with 'Rosalie.'

Orchestral numbers by Andre Kostelanetz were as usual rich in melodic variations, including that arrangement which had the unit going in for a lot of tonal acrobatics, such as blowing a horn on muted piano strings. To some they may be aberrations, but in the ranks of radio's batonists, Kostelanetz is still the pioneering musical showman.

*Odec.*

### 'UNDER WESTERN SKIES'
**Dramatic Sketch**
**30 Mins.—Local**
**Sustaining**
**Wed., 9:30-10 p.m.**
**KDKA-NBC, Pittsburgh**

Half-hour dramatic show, scripted by Derby Sproul, now hitting the NBC Blue from KDKA after nice build-up on Pittsburgh station alone. 'Under Western Skies' is the general heading, but it's not a serial, with each sketch complete in itself, and combining plenty of audible action with good old western melodramatic situations.

Episode caught was labeled 'Brotherly Love' and crisply written, effectively acted and an interest-holder right down the stretch. Told of two brothers, one a baddie and the other honest, who separated in childhood and met again years later in Colorado, where the younger was about to be lynched by a mob including his older brother. Latter, rather than see him tortured, shot him himself, duplicating a similar occurrence in their childhood. Curtains are handled at the organ by Bernie Armstrong with slick musical interpolations as well as general background.

Show's been getting a lot of Pittsburgh attention since being launched.

*Cohen.*

### 'CRUISING IN TRAFFIC'
**With Serg. Nyrum Young, John Starks**
**15 Mins.—Local**
**Sustaining**
**WAVE, Louisville**

Station's contribution to the cause of traffic safety. Serg. Nyrum Young, who has been airing a daily 15-minute interview on traffic over another local station, does the spieling, with John Starks at the wheel of the station's mobile unit. Starting from one of the downtown intersections, the two cruise throughout the downtown business district at speed somewhat slower than ordinary traffic.

Serg. Young keeps up a well-paced line of chatter, as he spots traffic violations on the route. These are many and varied, such as pedestrians stepping from the curb against the red light, cars starting on the amber flash, and the like. Although a police officer, Serg. Young merely calls attention to the violations, and does not pass out any tags. He does, however, give timely advice on the possible fatal results of such violations, and proves capable safety emissary on the air.

Stanza engrosses throughout.

*Hold.*

### 'ARIZONA RED'
**Cowboy Songs**
**15 Mins.—Local**
**HOWARD JEWELERS**
**Daily, 1 p. m.**
**WNEW, N. Y.**
*(Schillin)*

Baritone, of the near-tremolo sort, bawling cowhand chants. Self-accomping on the guitar, singer is oke enough for his niche and should get to the audience which dotes on sage-brush songs.

Slow ballads were what he fed out when caught (30) and that made for torpid pace. Should sparkle up his innings with an occasional fast one. Even baseball hurlers are hep to that.

*Bert.*

### 'FLYING RED HORSE REVIEW'
**With Ruth Filburn, James McDonald, Radcliffe Hall, the Melody Men, Gordia Randall's Orchestra**
**30 Mins.—Local**
**SOCONY-VACUUM OIL CO.**
**Tuesday, 7:30 p.m.**
**WGY, Schenectady**

First widely-advertised program in a scheduled series of 52 did not quite live up to the 'flying' part of title, due to production flaws. Capable artists sang standard, tuneful numbers and a competent orchestra did its part, but the show did not zoom along with smoothness. Traveling back and forth among musical comedy and operetta hits of past 25 years, the effect was jerky.

Attempts of emcee Hall, to tie scenes together and to picture them as taking place within a theatre, were not convincing. Nor was the narration helped by the fact its spinner switched from setting of supposedly entrancing stage pictures to blurbing of gasoline. Setup cried for a second announcer.

On future broadcasts, more attention should, and probably will be paid to chronological order. Better yet, to concentration on numbers from one or two Broadway productions for each shot (bits from 'The Vagabond King' were tabbed for second block). Sometime, WGY may be venturesome enough to discard formula under which integration of its musical productions, is left almost entirely to the emcee, while the artists say nothing. A little dialog between performers and with program pacer would help to produce a 'company' effect.

Miss Filburn, a clear-voiced soprano, had perhaps the best opportunity on initial salvo. McDonald sang well, alone and with Miss Filburn, although he did not seem to stand out as clearly as on other programs. Melody Men, John Sheehan, Fred Morris and Edgar Moulson, filled spots acceptably, well as backed up the soloists. Sheehan tenored the lead in a number.

Hall, rated station's ace m.c. and production man, has a pleasing voice and a breezy manner. Close listeners, however, may detect a sameness in all his broadcasting. Fails to modulate sufficiently at times and produces tone with traces of over loudness. His narration should have been blue penciled.

Randall's house band, which has developed steadily during past year, is adept for double job of accompanying and soloing. Applause did not have the real ring of spontaneity on opener.

*Jaco.*

### GENE MORGAN'S CONTINENTAL ORCHESTRA
**15 Mins.—Local**
**Sustaining**
**Monday 6:15 p.m.**
**WHAM, Rochester, N. Y.**

With 12-piece orchestra and liberal use of shakers, gourds and castanets, 'Beany' Morgan is putting over authentic Spanish and Latin-American melodies with toe-tapping rhythm that makes this an exceptionally pleasing local program.

Signature is Quiereme Mucho and in program caught band then swung into 'Ombo,' tango rhythm; 'Caminito,' Mexican waltz medley; 'La Paloma' and 'Cielito Lindo,' closing with 'Tu Sais,' an intriguing tango number.

This program is added indication of WHAM staff orchestra's versatility. Wednesday nights it plays concert music for German program, Thursdays incidental music for Trooper drama, Fridays light dance stuff, Saturdays hill billy and Sundays old time music, besides small units that play swing, novelties and poetry background during the week.

Charles Siverson, staff musical director, drops out of the billing in all except two programs to give public impression of greater variety in programming.

*Cord.*

### 'BLACK NIGHT SERIES'
**With June Harrison, Nelson Olmstead, Harry Hoxworth**
**30 Mins.—Local**
**Sustaining**
**Monday, 11 p.m.**
**WBAP, Fort Worth**

Announcement is made preceding each airing of the Black Night shows that any person with a weak heart or weak stomach is advised to switch the dial or take the consequences. Monday (28) show was the 20th offering, written by Virginia Wilten of the WBAP production staff, and titled 'Heart of Steel.'

Plot dealt with a young scientist creator of a robot man and his sweetheart, who wasn't of a scientific mind and wanted her lover to give up all for love. Young scientist returned for one more experiment with his steel man, and during final tests in walked his lady-love, with whom the monster, by reason of his newly acquired 'heart,' fell in love.

Two barricaded themserves in the laboratory when the monster, realizing his love was not returned, went on a rampage, killing the scientist's co-worker and a caretaker.

Further enraged at their plot to foil his affairs of the heart, the rambling robot grabbed a drum of nitroglycerin, hurled it in the window at his creator and lady-love, ending the show ith a loud explosion drowning the screams of the object who didn't return his affections.

Hokey show was nicely done up with good sound effects, acting and original music of Don Gillis.

## TALENT MILLS

### No. 7—WTAM, CLEVELAND

Cleveland itself has had a spotty radio career. Once gangsters blew up the front porch of a sation owner because there was a crusade on the air aimed at the underworld, the town has large foreign population, and a Lutheran pastor recently 'fessed up that he was the distributing agent for Nazi radio propaganda transcriptions.

Among the early vibrations registered the radio seismograph at WTAM was NBC v.p. John Royal, alumnus of Keith vaudeville, who managed station from 1929 to 1931 and brought out Gene and Glenn, darlings then and since of regional broadcasting and big personal-appearance attraction in midwest some time back.

Singin' Sam and Smiling Ed McConnell were homefolksy recruits to the early WTAM, and Don Ross, Werner Janssen and Charles A. Lindbergh were early mentions the log. Royal's vaude contacts accounted for parade that counted Rae Samuels, Fritzi Scheff, Ruth Chatterton, Mary Pickford, Chic Sale, Hoot Gibson, Tom Mix, Leo Carrillo. All these 'way back when.

Early radio personalities that did stints of varying duration and importance included Landt Trio and White, East and Dumke, Annie, Judy and Zeke, Vaughan de Leath, Eddie Peabody, Wendell Hall, Frances Langford.

Earle Ferris, N. Y. press agent, fugitive from WTAM.

### 'PETER'S SURPRISE PARTY'
**With Leo Cleary, Ira Blue, Ray Harrington's Orchestra**
**15 Mins.—Regional**
**INTERNATIONAL SHOE**
**Sundays, 3:45 p.m., PST**
**KPO-NBC, San Francisco**
*(Long)*

'Peter's Surprise Party,' informal Sunday afternoon quarter-hour, entertaining, lively combination of information, humor and music presented by Sandy McFrolic (Leo Cleary), purveyor of 'Did You Knows,' announcer Ira Blue, and a studio orchestra led by Ray Harrington. Shows originate in NBC's San Francisco studios for the two California outlets of the NBC-Red network, KPO and KFI.

The 'Did You Knows,' which are enlightening bits of information picked at random by Sandy McFrolic from an imaginary shoe box, covered a wide variety of topics during the program caught (27), ranging from the first use of feathers for beds to the Indian Baya birds' use of glow-worms in their nests to frighten away rats.

'Did You Know' phrase is also worked into the program's two commercial plugs, the first less than a minute in length, the second a bit longer, both delivered with punch by Blue, a spieler with a 'wide-awake' voice. In addition, three prizes of Peters Shoes were offered to listeners submitting the best 'Did You Knows' of the week, with each trant sending in three.

Cleary, who does most of the talking on the program, handled his material capably, with a light banter between him and Blue adding bit of humor to the show. Cleary is half of NBC's 'Leo and Ken' comedy duo, and also the 'Old Ranger' of the Coast 'Death Valley Days' dramas. Harrington's musical unit, while small, bright and snappy, playing two or three pop tunes in smart fashion during the course of the broadcast.

### 'THIS WEEK IN NEW HAVEN'
**With Sid Goluboff**
**15 Mins.—Local**
**Sustaining**
**Sunday, 3:30 p.m.**
**WELI, New Haven**

This impresses as a spot dramatic item any local station might include in its log. It is not only useful as a weekly review of news highlights in the neighborhood but as a working vehicle for WELI's emoting troupe.

In the driver's seat is Sid Goluboff, exhaler's round-the-town expert, who produces and announces the 15-minuter. Sequences in broadcast caught included episode at Yale prom, robbery of girl at bank, petty larceny at hamburger joint, etc. Considering factual limitations, Goluboff has done a pretty good job in turning news reports into drama. Performances are generally effective.

Clips are linked with recorded music, all marches. Which is something that could easily be improved; station's wax library should have plenty numbers that would be more appropriate.

*Elem.*

### 'VOICES FOR PEACE'
**With John Brown, Richard Blane, Jean Ellyn, Hester Sondergaard, Ethel Everett, Ethel Blum, Guy Repp, John McGovern, John Pickard, Teddy Bergman**
**AMERICAN LEAGUE FOR PEACE AND DEMOCRACY**
**Thursday, 9 p.m.**
**WMCA, New York**

This was the second of a weekly series designed to further peace and democracy. Program dramatized excerpts of the war in Spain as witnessed and reported by Dorothy Parker, Ernest Hemingway, George Seldes, and Jay Allen. This episode prepared and directed for radio reenactment by Mitchell Grayson. Previous program dealt with the Sino-Jap conflict.

Program might better have been labelled anti-Fascist rather than anti-war and a plea for democracy. It was a pretty strong indictment of Hitler and Mussolini, mentioning both by name, and their activities in behalf of the Spanish Insurgents. What the program is striving for was rather vague in this airing. It wasn't quite clear that denunciation of Fascist leaders was to be construed as democratic propaganda. Another thing which could be improved is the peace angle. Not stressed strongly enough. Writer also failed to take into consideration the fact that while the Insurgents in Spain are backed mainly by Fascist countries, the Loyalist government is also reported as being aided by Russia, not commonly rated democratic.

Dramatizations are well done but the program 'attitude' will have to be straightened out considerably before its message is clearly conveyed to average non-ideological listeners.

### 'SCRAPBOOK FOR 1900'
**With Patric Curwen, Shaw Desmond, H. W. Nevinson, Prunella Stack, Gladys Young**
**BBC, London**

London, March 23.

Of all BBC programs, topper is the 'Scrapbook' series, devised by Leslie Bailey and Charles Brewer, in which highlights of years that are gone are recalled and relived, each program covering a single year. Typically excellent of series was 'Scrapbook for 1900,' throwing limelight on the last year of Queen Victoria's reign, bringing back poignant memories for older listeners, yielding interest, amusement and imparting knowledge to the succeeding generations.

Method of presentation is to employ two narrators, who pick out items as they 'turn the pages of the scrapbook' and introduced each sequence—reconstruction of a historic event, talks by individuals concerned with aspects of life at that time, recordings of personalities then famous, contrasts between the old and the new, excerpts from show hits of the period, with a script that invariably flows smoothly along, catching all the facets of life as it was in a 60 min. show that grips attention throughout.

Patric Curwen, stock narrator, and Shaw Desmond, at that time already winning attention with his pen, were the comperes for 1900, bringing to the mike H. W. Nevinson, famous war correspondent, who described the siege of Ladysmith during the Boer War; a Victorian housewife, whose natural mike technique in describing home life of her age was well contrasted with the modern note suggested by Prunella Stack, who, representing the moderns, conducted the interview; a champion cycle racer of the '90s, whose feats were soon to be eclipsed by the automobile; a recording of Marie Tempest, recalling the heyday of Daly's (just pulled down to make way for the Warner theatre), and her transition from musical comedy to straight acting; a phonograph memory of Dan Leno in his 'Tower of London' sketch; and a couple of hicks from a part of the countryside still relatively unchanged from the simplicity of 1900.

Naturally, the theatre gets strong representation in the survey, bringing snatches of 'The Rose of Persia,' the Moore and Burgess Minstrels, first performance of Coleridge Taylor's 'Hiawatha' at the Albert Hall (it has gone on ever since!), Lionel Monckton's 'Messenger Boy,' 'San Toy' at Daly's, and 'The Emerald Isle.' Dramatic comparison included recollections of the South African War and the hysterics of London when Mafeking was relieved, raising of income tax from 8d. to a shilling then considered ruinous, although trivial as against today's rate of 4s. 9d., and magnificent atmosphere was obtained through using the voice of the aging Queen as a connecting link, the shadow of her death in the early days of the following year giving emotional point to the climax of the program. In this respect much of the effect was due to the brilliance of Gladys Young, who put over Victoria's crabbed personality gripping manner.

Supported by the BBC chorus and theatre orchestra, and with stock broadcasters sketching in the many known and anonymous characters contributing to the cavalcade, the program stood out from an excellent series by virtue of strong material, its blending of drama, music and lighter elements reflecting the technique which has made all the 'Scrapbook' broadcasts an outstandingly popular BBC feature.

### ALFRED P. SLOAN, JR.
**Talk**
**10 Mins.**
**Sustaining**
**WJZ-NBC, New York**

Alfred P. Sloan, Jr., chairman of the board of General Motors, pictured foreign trade as an aid to international peace and as an essential to the maintenance of America's high standard of living, the feature address on NBC's Paths to Prosperity educational, heard via blue chain opposite the Jack Benny half-hour over red web. Strongly supporting Secretary of State Hull's reciprocal trade agreements policy, Sloan declared that if the United States were to give up its foreign trade, there would be an inevitable lowering of the level of living. Also necessary governmental regimentation of agriculture as well, probably, as of other lines of activity.

Stressed the dependence of the cotton and tobacco industries on a foreign outlet for their surpluses. Seemed to skirt around the automobile business, also a heavy porter. Sloan's address contained little that had not previously been said about foreign trade. However, his name coupled with a smooth delivery made the talk stand up. Not a dynamic but a clear speaker, GM head handles himself better than many big business reps facing the mike.

*Jaco.*

### 'JUDY AND JANE'
**With Mary Sallsbury, Marge Calvert, Rene Gekiere, Fred Van Ammon, Chuck Grant, Patsy Willis**
**15 Mins.**
**Transcription**
**FOLGER'S COFFEE**
**Mon. to Fri., 1:45 p. m.**
**WHO, Des Moines**
*(Blackett-Sample-Hummert)*

Strictly a regional spot show for a regional pact. Standard type of plotting and characterization and the sort of stuff that never seems to wear thin for the gals.

Yarn of two women and the husband of one (Jane). He is an attorney and is in a couple of jams with gangsters, which results in a mix-up which causes him to go blind (at least temporarily). Women try to run office, but it begins to look as if they're going to lose their biggest client. All the old-fashioned hokum, but sewed up acceptably.

Cast is strong with Rene Gekiere outstanding as Donald. Plenty of warmth and sincerity of delivery that's rare in these script shows. Marge Calvert has clear, distinctive type of voice.

Production is clean-cun.

*Gold.*

### JAMES A. SHANLEY
**Washington Comment**
**15 Mins.—Local**
**Sustaining**
**Sunday, 3:45 p.m.**
**WELI, New Haven**

Example of good all-around service is weekly talk by Rep. James A. Shanley to Connecticut Third District constituents via WELI, linked by wire with WOL in Washington, where broadcast originates. Latter station and Intercity get credit.

For a legislator Shanley makes an unusually good radio commentator. His stuff has no political tinge (he's a Democrat) and shows keen news sense and appreciation of what listening public wants to hear. Wherever possible Shanley uses the local approach, interpreting Washington and world events in light of their Connecticut significance. Tells why bills may benefit locally, etc. Congressman's delivery friendly and easy.

WELI rates Shanley's weekly report one of its strongest audience-builders. Whenever Representative says something newsworthy, New Haven press, which doesn't otherwise list station's fare, reports broadcast.

*Elem.*

### 'KING ARTHUR'S COURT'
**With Douglas Arthur, Libby Hall, Slim and Slam, Pat Henry, 'Headline Jim,' Merle Pitt's Orch.**
**30 Mins.—Local**
**Participation**
**Daily, 9:30 a.m.**
**WNEW, N. Y.**

On April (1) Fool's Day, program attempted a novelty note by rattling off the announcements backward (though not the commercials). Opening of program found m.c. Douglas Arthur fading show off the air; after a song was done, it was announced, etc.

Idea, while oke enough on paper, didn't jell. It made for confusion, even for listeners who were tuned in on the start and were hep. There was no humor in the manner stunt was done and hollow, forced laughter of the performers made for an even falser feeling.

As a show, it's a fairly breezy layout for an indie station. M. Arthur is a bit too loquacious for what he has to say and not funny enough to warrant so much word space. Merle Pitt's orch, WNEW's much used house crew, is good on swing. Libby Hall stacks up o.k. as a staff vocalist, who shows perhaps more promise than achievement.

Slim and Slam, swing singers of the Harlem howl manner, fit in. Pat Henry moderate tremolo baritone.

On the show is 'Headline Jim,' who isn't funny spieling daffy 'news.' The participatory plug are in very good order for what they are.

*Bert.*

## SUPER-POWER QUIZ CHART OUTLINED

Washington, April 5.

Broadcasters wanting to use 500 kw, either offensively or defensively, must convince the Federal Communications Commission that superpower is undoubtedly in the public interest.

All licensees and applicants were notified Monday (4) that the forthcoming May 16 hearing will be a general oratorical field day when advocates of a new wattage ceiling present all evidence in their possession to show why the present 50 kw maximum should be scrapped. In the new rules about to be promulgated, no limit will be fixed, with an asterisk noting that the question depends on outcome of the gabfest.

In all 16 issues were stipulated for ventilation, with the Commish setting the broad question of whether more juice is in the public interest for discussion before any of the pending applications for permission to match WLW watt for watt. Any interested party will be allowed to participate, thus insuring regional licensees of a chance to resume their offensive against more strength for their clear-channel competitors.

Chief propositions to be argued are: (1) whether objectionable interference will be caused any transmitter by lifting the 50 kw limit now in effect; (2) what effect the restriction has on service area of other types of stations; (3) whether improvement in service of clear channel stations, through greater juice, will outweigh any limiation of service resulting from more interference; (4) whether additional power will extend the service area of clear-channel plants; (5) if juice jumps will lead to concentration of economic or social power and influence; (6) how competition between high-powered and other stations may be affected; (7) what rates must be charged to meet additional operating expenses and whether higher tariffs may have an adverse effect upon program service; (8) if greater duplication of service will result; (9) whether listeners will be more likely to tune to superpower stations, snubbing regional and local transmitters; (10) whether stations now occupying clear channels are so located that more juice will bring about better distribution of service.

## Rush Hughes' Junket

Rush Hughes from San Francisco comes east this month for a series of personal appearances in connection with food shows, etc. Borden program will originate coming and going from various cities.

New York, Chicago, Boston, Washington, Philadelphia and Cleveland tentatively set by Young & Rubicam.

## Fred Brokaw Ill

Fred Brokaw, the sales rep. repaired to Florida last week with an expanded tonsil. His medic wanted to operate but on second thought suggested that Brokaw wait until the inflammation was gone.

Brokaw solved the situation by recalling that there was a Florida station the Brokaw list which had not had a goodwill visit in several weeks.

### 'Happy Gilmans' on Wax

Chicago, April 5.

General Mills spreading out with its 'Happy Gilmans' platterized script for Corn-Kix.

Placing through the Blackett-Sample-Hummert agency here is buying spot time in widely separated markets throughout the country following its click on test on WTMJ, Milwaukee. Now a half-dozen stations and building outlets steadily.

### WSMK Mgr. an M.C. on WLW

Cincinnati, April 5.

Sidney Ten Eyck, mgr of WSMK, Dayton, O., started a weekly chore tonight (Tuesday) on WLW master of ceremonies on the new Music Please 30-minute sustainer conducted by Josef Cherniavsky.

Ten Eyck was an announcer and m.c. on the Crosley stations for several years, up to 1932.

## F. C. C.'s WASHINGTON DOCKET

### MAJOR DECISIONS

Washington, April

**Arizona:** Stamp of approval placed on request for a new station for Globe, to be owned and operated by a local pastor, a musician and the proprietor of a printing business. Co-partnership, adopting the name of Sims Broadcasting Co. will undertake construction of an $11,000 transmitter, to operate on 1210 kc with 100 watts night, 250 watts day. Partnership comprises W. J. Sims, presiding elder of the district in which Globe is located, Bartley T. Sims, former artist and music director for KEHE, Los Angeles, and John W. Sims, owner of the Sims Printing C.

No primary service now furnished to the area proposed to be served and no possibility of interference of any existing station, Commish pointed out. Group is legally, technically and financially qualified to undertake the venture. Was represented by Frank Stollenwerck.

**New York:** Nighttime operation of WSAY, Rochester, favored by Commish because of a need in the area for an extension of local service. Station, now using 1210 kc with 100 watts days, must compete with WHAM, NBC affiliate clear channel transmitter, and WHEC, regional using programs of CBS. Change to 100 watts nights, 250 watts days, would give local merchants who are not able to pay the higher rates of the web affiliates an advertising outlet which is badly needed, Commish decided. Would cause some trouble to WJTN, Jamestown, but that station already is limited to a greater extent by transmitters other than WSAY, so not much diff. Interference to WSAY's 2.28 millivolt per meter contour would come from WJTN at night, but benefits to the station would supersede this, decision indicated.

WSAY, licensed to Brown Radio Service & Laboratory, retained Frank Stollenwerck.

**Ohio:** Transfer of WHBC, Canton, to the Ohio Broadcasting Co. was approved, after Commish decided that the newspaper-owned outfit was 'best qualified to prove a desirable service to the public,' out of three applicants for various authorizations.

Scrap between Father Edward P. Graham, 75-year-old Catholic priest and present owner of the station, and former employee, Nolan S. Walker, was decided when Commissioners tossed out Nolan's request to build a new transmitter using facilities of WHBC (1200 kc with 200 watts). Nolan was not financially fixed to operate a station, Commish decided. At the same time, Father Graham was rebuked for leasing the station to Nolan and Clarence W. Hayes in 1933, without seeking approval of the F.C.C. Denial of Father Graham's request for a license renewal, however, would deprive Canton of all its broadcast facilities, it was agreed. Second plea of the Catholic pastor, turning over the station to Ohio Broadcasting Co. for $21,000, was okayed, since the outfit—owned by Brush-Moore Newspapers, Inc.—showed ample funds with which to operate the transmitter.

Horace L. Lohnes and E. D. Johnston appeared in behalf of WHBC, with Paul J. Gnau and William H. Volrey representing Ohio Broadcasting Co. and Frederick S. Wilkins representing Nolan S. Walker.

**Pennsylvania:** New daytime station for New Castle was granted the Keystone Broadcasting Co. on applicant's showing that need existed in the community for the proposed service. Stockholders in the company were named as follows: W. Townsend, Herbert S. Kirk; Fred W. Danner and W. Graham, but occupations were not given. Cash assets listed as $19,460, for construction of the $11,000 transmitter. No interference would be caused, except to the .5 millivolt per meter contour of WCAE and WJAS, Pittsburgh, but proposed station would be expected to receive slight interference, if pending application of WNEW, New York, is granted.

Ben Fisher and John W. Kendall appeared on applicant's behalf.

### MINOR DECISIONS

**Massachusetts:** W1XW, Blue Hill Meteorological Observatory, Milton, granted renewal of special experimental license in exact accordance with existing license to July 1.

**Missouri:** KFEQ, St. Joseph, application for unlimited time on 680 kc with 2½ kw withdrawn without prejudice at request of applicant.

**New Hampshire:** W1XZ, Greenleaf Whittier Pickard, Seabrook Beach, granted renewal of special experimental station license in exact accordance with existing license, to July 1.

**New Mexico:** KAWM, A. W. Mills, Gallup, granted day power boost from 100 to 250 watts, make changes in equipment and install vertical radiator.

**New York:** WNEW, New York, granted extension of present license for a period of 2 months.

**Ohio:** Cleveland City Board of Education, Cleveland, granted new non-commercial educational broadcast station to be operated on 41500 kc with 500 watts.

**Pennsylvania:** W3XAU (WCAU) granted (with prejudice) request to withdraw application for modification of license for international broadcast station scheduled for oral argument, March 31.

**Texas:** Sellers, Inc., Dallas, application for authority to make electrical transcriptions to be delivered to XELO, XEPN, XERA and other stations in Mexico, denied as in cases of default, for failure of applicants to file an appearance.

**Washington:** C. P. Sudweks, Spokane, application for new station to be operated on 950 kc with 500 watts nights, 1 kw days, withdrawn without prejudice. Applicant amended his application and requested withdrawal.

**Wisconsin:** W9XD (Journal), Milwaukee, application for renewal of experimental license on 42000-56000, 60000-86000 kc with 500 watts (Emission A-4) dismissed as in cases of default for failure of applicants to file an appearance.

### SET FOR HEARING

**Colorado:** New station to be operated on 1310 kc with 100 watts nights, 250 watts days.

**Illinois:** WMBD, Peoria, jump night power from 1 to 5 kw.

**Michigan:** Kammeraad-Smith Broadcasting Co., Holland, new station to be operated on 1200 kc with 100 watts, specified hours (8 a.m. to 8 p.m.).

**North Carolina:** WGTM, H. W. Wilson & Ben Farmer, change frequency from 1310 to 1420 kc, increase time and power from 100 watts, days only, to 100 watts nights, 250 watts days; Eastern Carolina Broadcasting Co., Goldsboro, new station to be operated on 1370 kc with 100 watts.

**Oregon:** KOOS, Marshfield, boost night power from 100 to 250 watts (to be heard before the Commish).

**Utah:** Citizens Voice & Air Show, Provo, new station to be operated on 1210 kc with 100 watts nights, 250 watts days.

### NEW APPLICATIONS

**California:** WFBK, Sacramento, extension and modification of special experimental authority to operate a facsimile station from 12 midnight to 6 a.m., PST., using 10 kw instead of 5 kw, to November 1; Columbia Broadcasting System, Inc., Los Angeles, two new relay broadcast stations to be operated 31100, 34600, 37600, and 40600 kc with 2 watts.

**Idaho:** KSEI, Pocatello, change frequency from 900 to 600 kc, boost night power from 250 watts to 1 kw and install directional antenna for day and night use.

**Illinois:** Orville W. Lyerla, Herrin, new station to be operated on 1310 kc with 100 watts nights, 250 watts days.

**Illinois:** Arthur Malcolm McGregor and Dorothy Charlotte McGregor, Bloomington, new relay station to be operated on 1606, 2022, 2102 and 2758 kc with 100 watts.

**Kentucky:** WCKY, L. B. Wilson, Inc., Covington, boost power from 10 to 50 kw.

**Michigan:** James F. Hopkins, Inc., Ann Arbor, new station to be operated on 1400 kc with 250 watts.

**Michigan:** Evening News Association, Detroit, low frequency relay station to be operated on 1606, 2022, 2120 and 2758 kc with 100 watts (to utilize equipment of WENM).

**New York:** Civic Broadcasting Corp., Syracuse, new station to be operated on 1210 kc with 100 watts; Edward J. Doyle, Rochester, new station to be operated on 1270 kc with 500 watts days.

**Ohio:** WHK, Cleveland, jump night power from 1 to 5 kw, install directional antenna for all-time use.

**Oregon:** KWJJ, Portland, special experimental authorization to operate on 1040 kc (simultaneous with WTIC, Hartford, and KRLD (Dallas), using 500 watts.

**Pennsylvania:** WDAS, Philadelphia, change power from 100 watts nights, 250 watts days to 250 watts, day and night.

**Pennsylvania:** W3XPF, Farnsworth Television, Inc., of Pennsylvania, make changes in visual and aural transmitting equipment and decrease power of visual transmitter from 4000 to 250 watts.

**Utah:** Dan B. Shields, Provo, new station to be operated on 1210 kc with 100 watts nights, 250 watts days; Timpanogos Broadcasting Co., Provo, new to be operated on 1210 kc with 100 watts.

### EXAMINERS' REPORTS

**California:** Change from daytime service to full time was recommended by Examiner Tyler Berry for KSRO, Santa Rosa. Station, owned by the Press Democrat Publishing Co., would fill need in Santa Rosa, where no local service is received at night, Examiner ruled. Outfit is financially capable of carrying an additional cost of about $500 a month and nighttime operation of the transmitter would not cause interference to any established stations or pending applications.

Clarence C. Dill and James W. Gum appeared for KSRO.

**Minnesota:** Aspirations of KSTP, St. Paul, and WJSV, Washington, to move into the 50 kw category were dashed by an unfavorable examiner's report written by P. W. Seward. Stations, which share the 1460 kc frequency, had hoped for granting of both pleas, in order that mutual interference might be reduced and service of each transmitter might be expanded. Seward, however, pointed out that neither applicant had discharged the burden of proof and established by a preponderance of the evidence that need for additional service exists. Summed up as follows: Granting of KSTP plea and denial of WJSV would benefit the former transmitter due to power increase and would decrease interference to WJSV by reason of use of a directional antenna; Okay for WJSV and nixing for KSTP would bring about an improvement for the Washington transmitter because of increased juice and new location, but would not decrease present interference from KSTP (latter station would be benefited by lessening of interference from WJSV).

'Obvious benefits contained in some of the combinations were discarded, however, because operation of WJSV with 50 watts would limit WLAC, Nashville, Tenn., to its 2.1 millivolt per meter contour whereas the station is entitled to protection to its 1 millivolt per meter contour, and at the present time renders interference-free service to that contour,' Seward held. Turn-down for KSTP rested on the 'no need' basis.

Disappointment for the St. Paul affiliate of NBC's red network and for the CBS-owned and operated Washington station was intensified because of a recent reopening of the hearings by WJSV for the offering of additional engineering testimony designed to show that WLAC would not suffer undue interference from the juice-jump. Columbia Broadcasting and Commish engineers tangled, however, with Referee Seward favoring the accuracy of the latter.

Paul D. P. Spearman and Alan B. David defended KSTP's argument for a boost from 10 kw nights, 25 kw days, to 50 kw, while D. W. Patrick, Kenneth R. Raines and Paul Porter pleaded for a bounce from 10 to 50 kw for WJSV.

**Texas:** Nixing of the application of KTSM, El Paso for a change of frequency from 1310 to 1350 kc, power boost from 100 watts nights, 250 watts days, to 500 watts all times, and change in operation from sharing with WDAH, El Paso, to unlimited, was recommended by Examiner John P. Bramhall.

KTSM and WDAH 'are for all purposes one station,' Bramhall declared, since both are owned by Tri-State Broadcasting Co., Inc., and KTSM has permanent authority to carry programs of WDAH. Bramhall also objected to the fact that Tri-State has opposed two applications for new stations in El Paso, although its own financial statement disclosed 'excessive profits,' and sniffed at the quality of programs which have been broadcast by the applicant.

WTSM was represented by Arthur W. Scharfeld and Philip G. Loucks.

## CKNX Artists Bureau A Novelty in Ontario

Wingham, Ont., April 5.

CKNX has formed an artists bureau, only performer booking office of any sort around this vicinity.

Sets station talent for personals in night spots and theatres around small towns in this area.

## Easter Airing Muted

Hollywood, April 5.

Don Lee network plans for an Easter broadcast from Hollywood Bowl have been abandoned following refusal of Musicians union to okay 100-piece orchestra of Works Progress Administration with Marion Talley as vocalist. Local demanded $11 per man standby in addition to other proxy charges.

Marks first time in four years Bowl exerc denied dialers.

**Ralph Rogers**, traffic manager, Carol Babcock, musical director, and Carol Foster, announcer, have left the staff of KFPY, Spokane (Wash.). They are in California.

## WMCA MOVES INTO NEW SPOT

General strike of moving company employees almost prevented WMCA, N.Y., from going through with its scheduled shift to new studios and offices last Thursday night (31). Station got a special permit from the head of the movers union after it explained that a switchover of telephone wires had already been arranged for and that if it couldn't get into its new quarters by a specified hour the station would be off the air.

Though the station has practically doubled its space, four persons were found minus offices when the allocation had been completed.

New site is atop Warners' Hollywood theatre on Broadway occupying the top two floors including the penthouse which was the old Friars club headquarters.

## Procter & Gamble B.R.'s WBBM Sustaining Short

Chicago, April 5.

Procter & Gamble has lifted 'Manhattan Mother,' 30-minute scripter on Columbia-WBBM, off the sustaining list and will send it commercial this Monday (11) evening for American Family soap. Will test it locally and shift to net if hopes materialize.

Deal negotiated by the Kastor agency here. American Family will continue on WBBM also with its 15-minute daytime strip of news flashes by Truman Bradley.

P&G will change show into daily quarter hour instead of week.

### Paul Whiteman's Homestead

Flemington, N. J., April 5.

Paul Whiteman has purchased a property along the Delaware River near Stockton, in Delaware Township. Sylvia Sidney recently bought a large farm nearby Raritan Township.

Whiteman's tract contains 147 acres.

**Feg Murray** had his ticket punched for another 13 weeks under Fleischmann yeast auspices.

## VOLUNTARILY END BOOZE IN PA.

Philadelphia, April 5.

All likker advertising on radi stations in Pennsy will cease withi a few weeks, State Liquor Control Board announced in Harrisburg Saturday (2). An agreement to that effect was reached through friendly co-operations among distillers, stations and the board, it was nounced.

While there is no law in this State prohibiting airing of likker accounts, Board felt such advertising was 'necessarily offensive to many sincere people.' For same reason, ads for hooch in Sunday papers were ended short time ago.

## WMBC, Detroit, Bags Two Sponsors for Live Talent

Detroit, April 5.

WMBC last week got signatures for 'Melody Matinee' from Independent Hardware Dealers of Detroit. Calls for five half-hour shows weekly. Produced by Bill Jory, show has nine-piece band under John Skalski; Margie Jourdaine, warbler, and Johnny Souther, lyric tenor, with Amos Jacobs as m.c.

'March of Hits' is to be sponsored by Tivoli Beer for next 13 weeks at least, will be a variety show, with Lee Walters' band, Tivoliers, a male quartet, Silhouettes, femme trio, a glee club, Chuck Stanley, m.c., and Don Morris, announcer. Produced by Hy Steed, program'll include a three-minute interview of notables and fan-fare announcement of baseball scores.

WMBC is also airing series of seven quarter-hours weekly from U. of Michigan in Ann Arbor, highlighting sports, symphonic music and interviews, with student announcers.

## Alumnus Makes Good

Ned Midgley, time buyer for Batten, Barton, Durstine & Osborn, delivered lecture on radio at the Wharton School of Finance, Pennsylvania University, last week, and got booked for a repeat engagement for about the same time next year. He told the studes what a swell medium broadcasting is for advertisers.

Wharton School is Midgley's alma mater.

## 'Hotel' May Skip 8

Hollywood, April 5.

'Hollywood Hotel' program may go off air for eight weeks during July and August. Would be first summer breather during four years on air.

Ward Wheelock undecided whether to forfeit 10% time rebate.

### Fritz Witte Joining WCPO

Cincinnati, April 5.

Fritz Witte, formerly on special events for WLW and WSAI, will join WCPO program consultant in May.

Now completing handling of the RKO-Post glamour girl contest, ning 10 weeks.

### Naith Abodaher Off

Cincinnati, April 5.

Naith Abodaher, writer, and Jack Edmunds, producer, dropped off the WLW-WSAI staff last week. They were with the Crosley organization a couple of years.

Abodaher is returning to his home in Hollis, Okla., and will grind out western yarns for pulp mags while mending his health.

### WDAS Takes INS Service

Philadelphia, April 5.

WDAS took on INS news service last week. First time it has used new. Has one 15-minute period across the board sponsored by Bruder paints.

Hunting b.r. for four other periods it is airing daily.

### Jo Ranson Cited

Jo Ranson, radio editor of Brooklyn Eagle, was cited last week by American Red Cross, Brooklyn Chapter, for meritorious volunteer service.

Citation was for work done during 1937 and 1938.

# PROTESTANTS PRO-RADIO

## Radio Daffodils

**Des Moines**—Dale Morgan vox popped 12 persons what they would be willing to give up if called on to sacrifice some modern conveniences. Not one willing to part with radio, but two said 'bathtubs.'

**Duluth**—When a local lodge expressed a yen for a pancake supper, KDAL saw a chance to boost its 'Mother Hubbard's Melody Cupboard' program. Station not only furnished the pancake flour but sent over Darrell Bandy, salesman, to whip up the batter and griddle the cakes.

**Charlotte, N. C.**—WBT has scheduled a 'Peep of Spring' broadcast, remoted from local hatchery, on which mikeman will describe breaking of eggs and emergence of baby chicks. Japanese poultry expert will be on hand to determine sex of newly-born fowls.

**New Orleans**—A new amateur program over WSMB called 'Public Relations' has a Mr. X to offer criticism of aspirants as soon as they have finished their trials before the mike. Tyros on the program can't see him.

**Seattle**—According to Edward A. Kraft, owner of KINY, Juneau, Alaska, his transmitter is located on soil which is gold-bearing. Station staff spend leisure hours rooting for gold-bearing rocks from which each averages $3 or $4 weekly after smelting them down.

## OFF-THE-AIR LICENSES NOW ISSUED

Licenses for off-the-air recording will be issued to applicant stations within the coming week. Harry Fox, gen. mgr., of the Music Publishers Protective Association and licensing trustee, has obtained the necessary authorizations from copyright owners.

License form, which has been drawn up by Fox, provides for the name of the program, the date, the running time and the number of the pressing manufactured. Form includes a parenthetical paragraph stating that the record has been manufactured solely for reference and audition purposes and is not to be publicly performed for profit or sold in bulk to the general public.

## Milwaukee Journal In Withdrawal of Facsimile Bid Explains Attitude

Washington, April 5.

Milwaukee Journal ducked the Federal Communications Commission firing squad last week by withdrawing applications for renewal licenses for its television and facsimile transmitters. Requests had been set for hearing as part of the check-up on what holders of experimental tickets are doing to justify their privileged status.

Releasing several frequencies, the paper explained the plea for new permits had been yanked back for the purpose of revising research plans. Withdrawal does not indicate abandonment of activities in either television or facsimile fields.

'A careful study of the factors presently involved has made it seem desirable to re-examine our entire experimental program and we are convinced that during th next few months the greatest progress can be made by concentrating our efforts in fields other than those covered by the applications we have withdrawn,' attorneys for the company said.

'On the other hand, we believe our further study of the possibilities of facsimile and television will permit us to work out an improved program of experimentation these fields.

'Under those circumstances, it has seemed best to withdraw the pending applications, and it already appears likely that our future plans, epecially as to facsimile, will involv substantial modifications of the proposals we originally submitted to the Commission.'

Journal was the first of several holders of experimental franchises to be cited to explain what they have been doing and why they should be permitted to keep on experimenting. Commish is determined to make sure that experimenters actually engage in worthwhile research and is set to deny renewals to any such licensees who do not present convincing case.

## WASHINGTON BUZZ

Washington, April 5.

**Boys** at local CBS headquarters are on the verge of picketing the FCC. Following third important turn-down at the hands of a single examiner, web people would like to don sandwich boards telling the world 'P. W. Seward Is Unfair to Columbia Broadcasting System.' He's the referee who nixed proposed purchase of WOAI, San Antonio, and turned in an adverse report on the web's plan to lease KSFO, San Francisco. Last week he was hostile to desired juice jump to 50 kw for WJSV, local CBS outlet.

**Considerable** tut-tutting about some of the shifts in the FCC law department. Disgruntled barristers are hoping the Commish will modify that two-year-rule they go out into private radio practice. Feel that burned.

One veteran brief-writer, who has handled much of the litigation for the FCC and its predecessor, was seen on Capitol Hill shortly after the new order went into effect, talking with senators from the home state. But so far effect of the shakeup on this particular individual has not been altered.

**Uneasy** moments of local industry lobbyists proved unfounded when Rep. John J. O'Connor, New York Democrat who chairmans the House Rules committee, repudiated local newspaper yarn he was bent upon bringing about a Congressional probe of both the FCC and the broadcasters.

Story, which appeared under copyright in the Washington Herald, sent chills along the spine of the network execs, trade lobbyists, and radio lawyers for several hours. Later O'Connor—who has been under fire from Catholics for sitting on the various investigation resolutions—swore he never had made any statement.

Probe proposals are still on the shelf and, in view of the FCC plan to look into monopoly, probably will die there when the session ends.

**Flood** of questionnaires is about to be unloaded by the FCC as preliminary to the monopoly probe. Statisticians and lawyers are busily drafting quiz-blanks, which will go to every licensee for the purpose of bringing up to date the data in government files.

### Talent Threesome Joins WCKY

Cincinnati, April 5.

Gene Hoctor, Chris Christensen and Eli Chalfie, instrumental and vocal combo, joined the WCKY talent staff this week.

They replace Johanna Grosse, Clarence Melter and Gershwin Colian and have been spotted on the morning Bit-o-home hour and a new evening sustaining period labeled Melodic Whispers.

## TAKING POSITION AGAINST CENSORS

### Survey Completed After Months of Research Finds American Broadcasting Will Be Published Very Soon

### ASKS MORE CO-OP

Federated Council of Protestant Churches is slated to declare itself in favor of commercial network control of broadcasting and against Government operation of radio facilities. These sentiments will be contained in a report of a survey on broadcasting which a special radio committee has been conducting since last fall. Report has practically been completed and is expected to be released in three weeks.

Report, it is said, will not recommend that special facilities be allocated for religious organizations or propaganda purposes but rather point out how closer cooperation can be exercised between religious bodies and broadcasters in carrying the work of the churches. Protestant churches of this country contributed $25,000 some years ago for a survey on broadcasting. The original findings were pigeonholed and last fall the council's committee undertook a new study, which is the one that is due for public release as soon as the finishing touches are put to its report.

Frank Goodman is in charge of the council's radio division.

## CBS PLUGS NEW COAST PLANT

Hollywood, April 5.

Columbia Square, Coast headquarters of CBS on Sunset boulevard, bows to the world April 30 with 18 hours of continuous broadcasting through the day and night.

Charles Vanda, west coast program director, has some of the network musicians busying themselves writing special numbers for their part of the show. Vanda will have a horde of announcers remoting from points of interest and niteries throughout the city. Philharmonic orchestra, directed by Dr. Otto Klemperer, will air from the Hollywood Bowl where 20,000 school children will be gathered. Climaxing the show will be a two-hour nation-wide program.

NBC's western division meanwhile is 11 years old today (Tuesday). Don Gilman top exec. all the way.

Three of the chain's engineers in New York have been dispatched to the Coast to supervise construction of the new NBC plant, dubbed Radio City. They are Robert Schuetz, J. J. Arnone and Edward Nolen.

## Garfinkel Agency's Prize

San Francisco, April 5.

Second annual contest sponsored by the Sidney Garfinkel advertising agency to pick San Francisco's best staff announcer began April 1 and will continue through April 22.

Judges will be radio reporters Darrell Donnell, Bob Hall, Emilia Hodel, Bob Kinsley, Arthur Linkletter, radio exec for Golden Gate International Exposition; Cyril Magnin, general manager of the Magni store; J. Clarence Myers, of San Francisco Life magazine, and Edwin Duerr, director of the University of California Little Theatre.

### WOAI's Six- -Weeker

San Antonio, April 5.

WOAI, San Antonio, has set the San Antonio Brewing Assn., alers of Pearl Beer, to sponsor six-night-a-week newscast of Ken McClure.

Deal handled by Pitluk agency.

## Ethridge Stop-Gap Logical And Good Psychology, General Idea; Main Dilemma Still Remains

Washington, April 5.

Stop-gap selection of Mark Ethridge, general manager of WHAS, Louisville, and leader of the trade rejuvenation movement, was made by National Association of Broadcasters directorate last week to afford more time in picking a permanent paid president.

Combination of circumstances, with money one of the most important, forced the board to make the king-maker the temporary king. Ethridge consented to take the throne for indefinite spell, without salary, but insisted he wants to step down at earliest possible moment. Selection was widely applauded, although few rumblings were heard over failure to take more positive action.

With the leader of the housecleaning movement installed at headquarters, directors took prompt steps to carry out the remainder of the reorganization plan. Will set up permanent staff in accordance with the revised blue-prints, without waiting to allow the permanent head to have say in picking his managers.

Ethridge appointment on a purely temporary basis was no surprise, in view of the strong sentiment in favor of making him the regular prexy. Under the circumstances, it was the only way out of the muddle, with Philip G. Loucks, who has been steering the organization since the February convention, insisting he must be relieved of NAB obligations in order to return to his law practice.

### Need of Cash Great

Question of finances was one of the principal headaches which the directors confronted at their postponed meeting Wednesday (30). While the round-up over the weekend brought an encouraging response, the actual cash still hasn't rolled in and the trade body must replenish its exchequer. Directors agreed that organization with an almost empty cash drawer is not in a position to talk terms with anyone picked for a permanent, salaried head. Especially when the salary will be $25,000 and maybe $50,000.

Shortage of cash, although important and embarrassing, was not the only reason the directorate decided to dump the burden on the WHAS executive. Nor was it an insurmountable obstacle, since response to Ethridge's appeal for support indicated the NAB could have received reliable pledges and probably would have experienced little difficulty in collecting advance payments.

Other influences were the wide range of problems which must be tackled by the trade group in the immediate future, plus the lack of machinery for handling some of them. After considerable discussion, majority of the board agreed that anyone without intimate knowledge of radi could hardly step cold without having the way paved for him to start work. Assembling of the crew of aides contemplated der the reorganization plan cannot be accomplished over-night, while they must have some time to get their bearings.

Draft-Ethridge idea was carried out when the board—and the king-maker—speedily agreed that delay in putting other phases of the new program into effect could not be tolerated merely because the paid president could not be picked last week.

### Tough Problem

Everybody realized that situation in which NAB finds itself is none too rosy. Lots of members waiting with their fingers crossed prompted the reorganizers to decide that the time had come to do something.

Under this condition, Ethridge was a natural. He's become widely known during his short connection th radio and has impressed most operators with hi determination and vigor by th way he grabbed horns of the labor bull during the negotiations with musicians last fall. His efforts to put life into NAB also were an advantage, since his willingness to take the helm, even though for only a brief period, was expected to have a good psychological effect.

No time limit has been set for Ethridge to stay in the chair. He did not fix any deadline when the board must pick a permanent chief exec, although he did stress his desire to turn over the reins and responsibility at arliest convenient moment. Executive committee is expected to reassemble within the next fortnight to see what the prospects are then for choosing his successor.

Who the permanent boss may be remains a mystery. Neither the executive committee nor the board has agreed any one the overwhelming choice of the people. No preferred list has been drawn up, and no formal proposition has been made yet to the leading candidates.

### Networks as Members

Initial move to bolster the association's financial position was election of the two major networks to associate membership. Are first to be taken into the new category. Since eligibility has not been fixed, and further study is required, xact dues remain to be worked out, but each web will contribute more than formerly was paid by their owned and leased stations. NBC is dow for annual fee of about $25,000, and CBS for $18,000. This represents a substantial increase in each case.

Moves to assemble the machinery took the form of appointment of several committees. They will canvass the field for headquarters people to fill various key posts, such as boss of labor relations, engineering xpert, etc. Ed Spence, ex-manager of WBAL, Baltimore, was put in office manager for the time being. Phil Loucks carries on as special counsel, but will not put in all hi time on the job, as he has been doing since James W. Baldwin stepped out of the now-extinct managing directorship.

Triumvirs will co-ordinate the work of the special committees and keep the present wheels running until the new machinery is in shape to function.

Committees appointed to survey the various problems are legislative, engineering, accounting, research, education, and labor. Two special groups will study the matter of what to do about NAB Bureau of Copyrights, Inc., and the rules for admission to associate membership.

Other business included adoptio of a resolution urging the Justice Department not to drop the anti-trust suit against American Society of Composers, Authors, and Publishers, authorization for the executive committee to start thinking about the copyright problem in ticipation of the deadline on present ASCAP contracts, and agreement to underwrite expenses of the committee of independent stations in dealing with American Federation of Musicians.

### WFIL's Double-Talker

Philadelphia, April 5.

Unable to withstand any longer the Bergen-McCarthy influence without doing anything about it, Philly at last broke into a double talk show this week. WFIL will air 'Elmer Snodgrass Presents' every Sunday from 11 to 11:30 a.m. Dummy operated by Canfield Smith.

Show also includes music by house band, chirper Marie LaTell, baritone Norman Benson and gabber Do Martin.

### Paula Markman Sponsored

Philadelphia, April 5.

Paula Markman begins new s for John Davis Furriers on WIP this week, tagged 'Hollywood Chatterbox.'

Quarter hour across the board.

# Canton Okay Not Publisher Policy Shift

Washington, April 5.

Softening of Federal Communications Commission's hardhearted attitude toward newspapers wanting to enter the broadcasting business was seen last week in decision approving sale of WHBC, Canton, O., to subsidiary of the Brush-Moore chain.

After three weeks of heated argument, the Commish unanimously rubber-stamped an eighteen-month-old application despite arguments against allowing a single institution to gain a monopoly of the mediums of advertising and public information in a single area. At the outset, the regulators split 4 to 3 but when minority realized it was unable to sway one of those favoring the grant another vote was taken and the final line-up was 7 to 0.

Decision attracted attention because it is the first favoring sale of an existing transmitter to a publisher since the McNinch regime started. Previously the Commish had nixed several rags' requests for permits to build new stations, although the reason was always something else than newspaper interest.

**What Interpretation?**

In the wake of District of Columbia Court of Appeals comment that no known statute prohibits the press from engaging radio operation, the action was construed as indicat that newspaper ownership will be no handicap until additional legislation is enacted. This interpretation was termed extreme by persons close to the FCC, who pointed to peculiar facts in this instance which make the ruling something less than a declaration of policy.

While there is substantial apprehension within the Commish about allowing publishers to acquire radio outlets, the application of Rev. Edward P. Graham, owner of the 100 watter, was ratified because sale will not give the Brush-Moore chain a practical monopoly in the Canton sector. Decision points out that several other stations—notably WTAM, Cleveland, WADC, Akron, and WLW, Cincinnati—lay down acceptable signals in Canton and that other sheets published in Akron, Cleveland, Alliance, Massillon and Pittsburgh, circulate there.

These two factors were stressed by the majority as sufficient grounds for granting the application and in answer to the monopoly arguments of Chairman Frank H. McNinch and his minority colleagues. Supplementary fact was that Father Graham wants to get out of the radio business, since he is well along in years.

# SHOWMANSHIP CALENDAR

## MAY, 1938

*(Showmanship being largely dependent on stunts, tie-ups, etc., in connection with established holidays and events,* VARIETY *herewith presents a calendar for the month of May. This calendar is published monthly from material copyrighted by the National Retail Dry Goods Ass'n.)*

**SPECIAL WEEKS DURING MAY**

**National Baby Week,** May 1 to 7; sponsored by Earnshaw Publications, Inc., 71 W. 35th St., New York City.

**National Foot Health Week,** May 1 to 7; sponsored by the Boot and Shoe Recorder, 239 W. 39th St., New York City.

**National Egg Week,** May 1 to 7; sponsored by the National Poultry Council, East Greenwich, Rhode Island.

**National Music Week,** May 1 to 7; sponsored by the National Music Week Committee, 45 W. 45th St., New York City.

**National Restaurant Week,** May 2 to 8; sponsored by the National Restaurant Association, 666 Lake Shore Drive, Chicago, Ill.

**National Golf Week,** May 7 to 14; sponsored by the Sporting Goods Dealer, St. Louis, Mo.

**School Science Fair** (previously known as Children's Science Fair), May 8 to 12; sponsored by the American Institute, 60 E. 42nd St., New York City.

**National Raisin Week,** May 8 to 14; sponsored by the Fresno County Chamber of Commerce, 1039 H St., Fresno, Cal.

**Peace Week,** May 12 to 18; sponsored by the Threefold Movement, Hotel New Yorker, New York City.

**National Ice Cream Week,** May 15 to 21; sponsored by the Olsen Publishing Co., 505 W. Cherry St., Milwaukee, Wis.

**National First Aid Week,** May 15 to 21; sponsored by the National Association of Retail Druggists, 205 W. Wacker Drive, Chicago, Ill.

**National Tennis Week,** May 21 to 28; sponsored by the Sporting Goods Dealer, St. Louis, Mo.

**Poetry Week,** May 22 to 29; sponsored by the New York State Federation of Women's Clubs, 19 W. 44th St., New York City.

**Foreign Trade Week,** May 22 to 28; sponsored by the U. S. Chamber of Commerce, Washington, D. C.

**Buddy Poppy Week,** May 23 to 30; sponsored by the Veterans of Foreign Wars, 1650 Broadway, New York City.

**National Cotton Week,** May 30 to June 5; sponsored by the Cotton Textile Institute, 320 Broadway, New York City.

**SPECIAL DAYS DURING MAY**

(1) May Day or Child Health Day.

(8) Mother's Day.

(10) Confederate Memorial Day (in Kentucky, North and South Carolina).

(11) Minnesota was admitted to the Union in 1858.

(12) National Hospital Day.

(14) West Coast Relays.

(15) Straw Hat Day in many cities; air mail service established in 1918.

(17) First Kentucky Derby was run in 1875; Outdoor Cleanliness Day.

(18) International Good Will Day.

(19) Jewish Scholar's Festival (Lag B'Omer) (Iyar 18, 5698; begins sundown previous day).

(21) Col. Lindbergh's Paris flight, 1927.

(22) Rogation Sunday; National Maritime Day.

(23) South Carolina joined the union, 1788.

(24) Telegraph was first used 1844; Brooklyn Bridge was opened in 1883.

(25) Ralph Waldo Emerson born, 1803.

(26) Ascension Day—parochial schools closed.

(28) Dionne Quintuplets born, 1934.

(29) Rhode Island joined the Union, 1790; Wisconsin admitted to the Union, 1848.

(30) Memorial Day (except in Alabama, Georgia, Arkansas, Florida, Louisiana, Mississippi, North and South Carolina, and Texas).

*Flowers of the month are hawthorn and lily-of-the-valley.*

*Birthstones are agate and emerald.*

**Sales promotion note: May accounts for 8.2% of the average department store's total annual sales, thereby ranking sixth among all months; best sellers are home furnishings, wash goods, all types of small wares and accessories, and women's apparel.**

### O'Halloran's Changed Billing

Detroit, April 5.

Happy Hal O'Halloran's cowboy aggregation has changed name of its program to 'Sleepy Valley Ranch,' and will be heard from 3:30 to 5 p.m. daily over CKLW here.

Added to cast are the 'Montana Sweethearts' and 'Vagabond Cowboys.'

## WCKY's Ad-Fed Talks

Cincinnati, April 5.

Beginning Wednesday (6) WCKY will co-operate with the Cincy Ad Club and the other four stations and three dailies here in a campaign to educate the public to the value of advertising via a series of five-minute talks by the club's members and local business men. Initial blast will be by Henry W. Manz, advertising manager of the Post, at 7:30 p. m.

Material, prepared by the Advertising Federation of America, will stress the ethics of radio and newspaper advertising and the safeguards which are given consumers by advertised products.

Stanzas arranged by Lloyd G. Venard, director of sales.

# One Sponsor's 18 Hours Wkly. On WPEN, Phila.

Philadelphia, April 5.

Nevins Drug Co., local retail chain, starts broadcasting 18 hours a week over WPEN, Philadelphi , next Monday (11). Account will use three hours nightly, 9 to 12 p.m., except Sunday, with the programs emanating from the station's 750-seat auditorium. Admission will be by carton or wrapper of any of the products sold by manufacturers who have tied up with the Nevins campaign.

Sandy Guyer, WPEN announcer, formerly with WIP, has been appointed head of the newly organized radio department of the J. M. Korn Co. Assumes post immediately, confining his activities to the new Nevin Drug Co. program.

Idea is for Korn agency to sell plugs on the show to manufacturers of products sold by the Nevin stores. As they handle thousands of items, it is expected to be comparatively easy to get 20 manufacturers to spend $50 a week for spiels. It is worth this sum to most of them without the advertising just to keep their products in the chain group.

Since the set-up broke here, flock of other cut-rate drug outfits are trying to set similar deals. No other stati , however, is in a position to sell three-hour block nightly, although it could be worked a smaller scale with one-hour period. As , WPEN will be forced to cut Jewish programs from two hours to one hour a day to handle the show.

### 'Let's Play' Goes On

Mutual and WOR will keep Jane Martin's 'Let's Play Games,' novelty program going sustaining after it lost its sponsor (Vapex) with the Friday (1) broadcast.

Seeking another bankroller.

### Marie La Tell Bankrolled

Philadelphia, April 5.

Marie La Tell, recent addition to WFIL, has commercial after six weeks of sustaining, her first air work.

Alumna of various niteries around town she's spotted on half-hour variety show of Lester's Credit Clothes.

# Hugh Feltis Takes Film To Agencies

Seattle, April 5.

KOMO KJR's industrial sound films on the Northwest market goes east with Hugh Feltis, commercial manager of the stations. 'Command performances' scheduled for week of April 10, at Washington, for the Marketing and Research divisions of the U. S. Department of Commerce.

Phillip Crawford head of the Seattle office of the department, is going east with Feltis. Jack Underwood, Washington, D. C., rep for the Seattle C. of C., will also help ballyhoo.

Feltis will take his show to New York, Detroit, Chicago, Milwaukee, Minneapolis, St. Louis and Kansas City for showing before agencies, sponsors and buyers. Ed Petry, who represents the stations nationally, will deliver the latter.

## 'Gadget' Show Co-op

Boston, April 5.

'Gadgets,' a new cooperative transcribed program (15 mins.) scripted by Bertha Bannen, opens on seven New England stations around May 1. Designed as a medium for advertising small items not backed by hefty radio budgets, the disc show has a 'gadget man' who carries thread of the script, describing of the new household gadgets appealing to housewives.

WTIC, Hartford; WSPR, Springfield; WJAR, Providence; WSAR, Fall River; WLAW, Lawrence; WNBH, New Bedford, and WHDH, Boston, are slated to take 'Gadgets.'

### Art Shaw's Whiteman Guester

Art Shaw, swing clarinetist, has been booked as guestee for the Paul Whiteman-Chesterfield show on CBS April 15.

Rockwell-O'Keefe agented the date.

Still the Bright Spot in
Oklahoma City
Federal Reserve Bank report on department store sales for the tenth district for the week ending March 19, 1938, shows Oklahoma City the only city in the district ahead of the same period 1937. WKY covers more of the nation's brightest sales spot than any other station.

WKY
OKLAHOMA CITY
OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING CO.

BRILLIANT SERVICE

to the seven member stations of out-state Michigan • • • • affording top-notch reception • • • • plus big time entertainment • • • continuously from morning opening to night sign-off • • • every day in the year • • • • originating from the key station, WXYZ, Detroit • • • all contribute to the outstanding sales power of the

MICHIGAN RADIO NETWORK

WXYZ
KEY STATION

DETROIT
MICHIGAN

*The Paul H. Raymer Co., Representative*

# AND IN THIS CORNER . . . .

*(CBS recently issued new maps. VARIETY sought NBC reaction to them. NBC's reaction in turn prompted the CBS reaction herewith given. Letter was sent to E. P. H. James, sales promotionalist at NBC, by Vic Ratner, ditto for CBS.)*

***(COPY)***

New York, April 4.

Dear Mr. James:

I enjoyed reading the NBC comments on the newest CBS Listening Area study, as reported in last week's VARIETY. But since they involve some simple errors of fact, I take the liberty of commenting on them directly to you. I know you wouldn't want to continue these er fact in whatever criticism you may make of our study.

As VARIETY reported it, your first exception to our maps is taken on the premise that the particular week we selected for the study was 'probably' among the top listening periods of the year. For some reason other, you assume this week was someti October. You were good enough to say that *'as a picture of listening coverage for that particular week the map would be unassailable.'*

As it happens, the week in which we made the entire Listening Area study was early in April, 1937—exactly year ago. (This date is shown the CBS Composite Maps in the book.) As in all previous CBS Listening Area studies, this week was selected because it offered *average* listening conditions; because it was midway between mid-winter and mid-summer.

Another point: VARIETY quotes you as contending that the CBS sample is too small. By the best of all evidence, we *know* the sample isn't too small. We will be glad to show you the scores of experimental maps we have made, using successively larger samples. We found that as the sample of response gets larger—as month after month of audience response is used—the map 'fills in,' inflates, and loses most of its sensitivity. Since CBS maps are designed to show the hills *and* valleys of each station's coverage, it was imperative that we use the smallest *workable* sample. That's what we did. And only that, we feel, keeps a radio map conservative and realistic.

If I may say so, the essential difference between the CBS and NBC approach to map-making is this:

CBS set out, some six years ago, to show the coverage indi vidual advertiser has the right to expect from his own program. That is why we use an 'instantaneous,' not an 'accumulated,' response. That is why we the response to *one* carefully restricted offer, not the response to all offers made by all programs. That is why we measure day and night listening separately.

NBC maps, the other hand, seem designed to show the over-all job the *station* is doing; not the coverage any one program for one advertiser can hope to get. NBC maps show the accumulated and combined coverage which *all* NBC advertisers and NBC sustaining programs achieve a period of months or years of broadcasting. No allowance made, even, for the different coverage which day and evening programs get; for the radically different patterns of coverage any station delivers, day and night.

One last point: VARIETY quotes you as saying that the Columbia method *'would rate as a satisfactory index if CBS exercised restraint in the matter of claims.'* That's the comment which most surprised me. In the new CBS Listening Area study, we show how coverage maps *for the same station* directly influenced by the technique used in making the map. We show maps made by other current techniques. We show how, *in every case*, the CBS Listening Area map charts a *smaller* area of coverage—than any other type of map. See pages 8 to 13 in the new CBS study.

Sincerely,

*Victor M. Ratner.*

### Churches Have P. A.'s

Memphis, April 5.

WREC has discovered some of the local churches have press agents. Malcolm Todd, who puts on 'Musical Album' each Sunday a.m. for an undertaking parlor, dedicated a recent program to a church as a stunt.

Pronto p.a.'s began bombarding the station pressing that their accounts get plugged on subsequent broadcasts.

# COUGHLIN'S HURRY-UP WEB

Detroit, April 5.

Hurry-up call added about 30 stations to Father Charles E. Coughlin's regular indie hookup of 70 Sunday (3), as extra ammunition for priest's onslaught on President Roosevelt's reorganization bill. Additions added 23 West Coast outlets to priest's already solid coverage in east, middlewest and south, and were arranged by Stanley Boynton of Aircasters, Inc., which handles Coughlin's ether ventures.

Augmented hookup Sunday was in addition to priest's special network of 46 stations last Thursday night (31), estimated to have cost priest around $5,000. Arranged in about four hours, with WJR here as key, and effected at last minute because Father Coughlin feared Administration would push reorg. bill through both houses before he'd get another chance to blast on his regular Sunday program.

Priest further used radio to great success earlier last week, when he decided at the last minute to call a Social Justice rally in suburban Royal Oak, and requested Boynton to buy spot announcements on five local stations. In the 90 minutes from time spots hit air over WJR, CKLW, WMBC, WJBK and WEXL (Royal Oak), priest had several thousand followers in the suburb for rally.

# Phone Co. Still Vague on Costs But All-Oregon Hookup Is Tried

Portland, Ore., April 5.

Peddling complete statewide coverage, KGW will link up every transmitter in Oregon with a program piped from its Portland studios over Postal and Pacific Tel & Tel. wires on Friday, April 8.

This is the most ambitious response yet made by any North Coast station to squawks registered in VARIETY'S Anniversary Edition by Showalter Lynch of MacWilkins & Cole agency. Lynch therein observed that the primary coverage of major stations in Portland and Seattle not large enough to cover the area demanded by certain sponsors.

Specifically mentioned was Klamath Falls, Oregon, 300 miles from Portland. It is outside the primary coverage area of Portland stations, but inside the city's trade area. From a network point of view Klamath Falls is on the secondary signals of Portland, San Francisco or Salt Lake—but its own local station, KFJI, was still the only outlet for territory advertising. Outlandish cost of wires for piping a program from Portland was the setback.

It took political time buying to put this problem over the hump. KGW first experimented with line tie-up to Klamath Falls and Salem (the State capital) for a speech by Willis Mahoney, a political candidate for the U. S. Senate. Prompted by success of this venture, the same sponsor contracted for complete linking from KGW of every dorp transmitter in Oregon. These six spots, Salem, Medford, Roseburg, Eugene, Marshfield and Klamath Falls, will simultaneously broadcast a half-hour political talk by Mahoney originating at KGW, Portland.

**Vague**

To date, the two wire companies involved, Postal Tel. and Pacific Tel. & Tel. (Bell) are still so vague about their line charges that comparative costs for piping as against added dial circulation are too variable to quote. Under pressure from KGW, the wire companies are only just realizing that this a serious item of new business. It took the squawk registered by MacWilkins & Cole through Bud Lynch in VARIETY to underscore the idea that the North Coast's most prominent radio agency was really pioneering an important movement.

Commercial sponsors are already taking note of the fact that complete primary coverage of the entire state and adjacent territory is now possible. KGW is seeking a schedule of standard line charges to link up with country transmitters.

# STILLWATER, OKLA., SEEKS 1,000-WATTER

Oklahoma City, April 5.

Application for a license to construct a 1,000-watt station at Stillwater, Okla., is being prepared and will be filed with the Federal Communications Commission within a couple of weeks.

Wilson Brown, assistant in the information department of the state Works Progress Administration offices made the announcement and states that he is scheduled to become manager of the station. According to Brown, an Oklahoma City oil man and Stillwater business men will back the venture.

Brown also says that the station will appeal mostly to farmers and rural people, will take no political stands, and that Howard Suesz, former business manager of KVOO, Tulsa, will become program manager for the station.

### Kopf Aids Naylor Rogers

Chicago, April 5.

Naylor Rogers, chief of local International Radio Sales office here, adding F. P. Kopf to local sales staff. Kopf formerly with Barron Collier here.

Comes in as replacement for Kurt Wilson, who has left outfit and returned to New York.

**This new WCAU booklet has recently been released. If you did not receive your copy write for it and get the facts about America's premier Women's Club of the Air.**

**WCAU**

**50,000 WATTS PHILADELPHIA**

# Agencies—Sponsors

**Norman Markwell,** former film writer and legit p.a., has joined the L. H. Hartman Co., New York ad agency, as an account exec and will specialize in radio and publicity.

**American Tobacco Co.** has turned over the Half & Half account to Young & Rubicam. Radio campaign is under consideration.

**Peter Fox Brewing Co,** Chicago, has signatured for a repeat of their post-baseball play-by-play program on WGN.

Will hit every day for 15 minutes after each game, with music and comedy. Set through the local Schwimmer & Scott agency.

**Hi-Boys** (Max Raney and Doye O'Dell), with their Radio Rangers, after a year and a half of sustaining and personal appearancing via WGY, Schenectady, have grabbed a sponsor.

Started April 4, quarter-hour every-morning program for Van Curler Food Products Company of Schenectady.

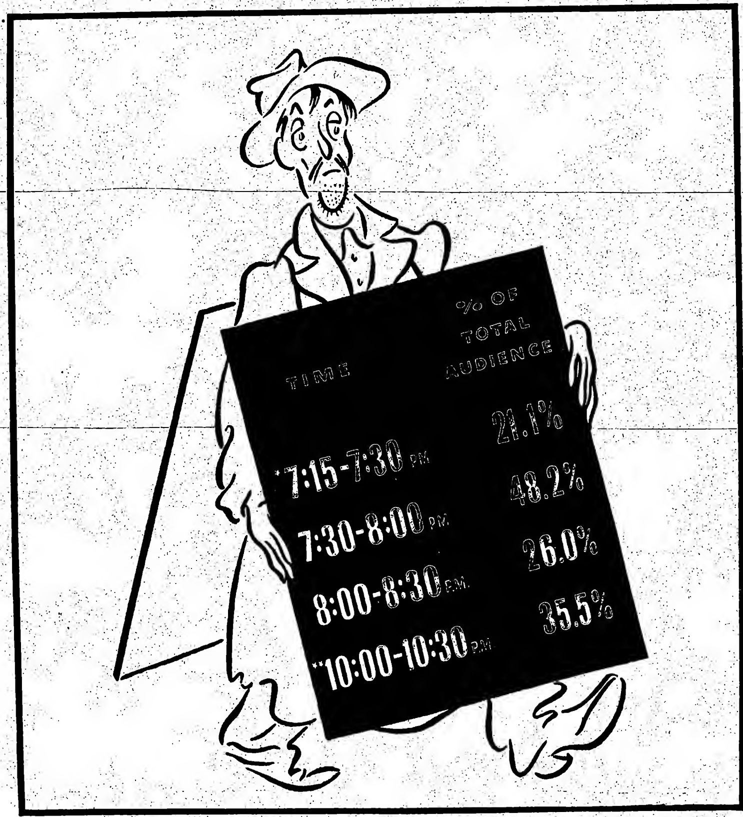
**Reliance Mfg. Co.** (Big Yank shirts) are taking on live talent show on WHO 7:30-7:45 Saturday evenings to be called 'Big Yank Roundup.' With Al Klauser Oklahoma Outlaws.

**St. Louis Star-Times,** which will soon have its own station, has bought 26 40 and 50-word announcements over KWK, St. Louis.

**Albert S. Samuels** (jewelry), through Will Russell & Co., has

(Continued on page 53)

TIME to consider...



PUT A GOOD PROGRAM ON WOR AND YOU WILL GET A GOOD AUDIENCE AT ALL TIMES!

The gentleman whose pan appears above bears no particular resemblance to anyone we know, or ever hope to . . . which is the one good thing about it. The audience ratings, however, particularly concern us at the times mentioned.

Good as they are, there's nothing unusual about them. They are merely indicative of WOR's evening listening at the times surveyed . . . **good audiences nabbed in the face of strong competition.**

Interesting perhaps are a few facts behind the programs which made the audiences. The program for the period starred once (like this*) began with an audience of 9%. It now holds more listeners than two of the shows on the three competing major stations.

The program for the period starred twice originally attracted 22% of the total listeners, but **during the past several months it has shown an increase of 60%.**

For further facts regarding WOR time, both sponsored and available, pedal your bicycle to: Sales Office, NEW YORK, 1440 Broadway; CHICAGO, Tribune Tower; BOSTON, 80 Federal St.; SAN FRANCISCO, Russ Building.

WOR

### Intra-Commercial

Anacin will have a commercial within a commercial when the Easy Aces burlesque topical quiz show. Radio characters will themselves be represented as tuning in on the radio.

Quiz show will be supposedly sponsored by Anacin with the commercial-within-a-commercial saying, 'If these questions give you a headache, use Anacin.'

## SPRING TRAINING

**For Those General Mills Baseball Spielers**

Chicago, April 5.

General Mills holding another annual convention of its baseball announcers in the Edgewater Beach Hotel here next week.

Will assemble April 10-11 for a general run-over of rules and regulations as to play-by-play broadcasting of baseball. Expect a showing of around 50 spielers. Station execs also invited to sit in on the discussion.

WJJD sent announcer John Harrington to Yuma, Arizona to pick up the pre-season Cubs-White Sox games.

Bankrolled by Kellogg, the broadcasts started last Friday (1), with WJJD running special lines to the whistle stops to pick up the daily games as the teams journeyed towards the Chicago home base.

Cincinnati, April 5.

Baseball bugs, rather than players and managers, are interviewed for five minutes each evening on WCKY by Rex Davis, the station's sportscaster. Those quizzed popular employees of big organizations.

Queries confined to their opinions of this year's Cincy Reds, the National League club of which Powel Crosley, Jr., head of WLW and WSAI, is president.

Walter Van Winkle, University of Cincinnati baseball and basket ball coach, began Monday (4) as sports commentator for WKRC, filling three five-minute spots daily.

Houston, April 5.

Sponsored by Kellogg for the second season, ball games of the Houston Buffs will be broadcast over KXYZ, beginning April 13.

Play by play accounts of all games, both out of town and local, will be broadcast.

San Francisco, April 5.

With B. F. Goodrich Tire and General Mills (Wheaties) as co-sponsors, the spring baseball broadcasts got under way Saturday (2) over KGO. Ernie Smith, best known local sportscaster, has been signed for the series, which will include both day and night games on the San Francisco Seals' schedule. Smith will recreate games played out of town, using wired bulletins and studio sound effects.

In previous years the Seals' games have been aired over KYA. Westco Agency is handling the account.

## OSCAR GOREN TO WEVD; GROSS HAS JOB AT WPEN

Philadelphia, April 5.

Oscar Goren, gabber and head of Jewish programs and sales on WPEN, has resigned, effective Friday (8) to take similar job on WEVD, New York. Louis Gross, who assisted him, will step up to No. 1 spot.

Yiddish time on station will be cut from two to one hour a day on April 18 to make way for new three-hour show.

## Campbell Arnoux of WTAR V.P. of WRTD, Richmond

Norfolk, Va., April 5.

Campbell Arnoux, general manager of WTAR here, has been named a v.p. and member of the board of directors of WRTD, Richmond.

WRTD is a year-old broadcaster owned by the Richmond Times-Dispatch and managed by Ovelton Maxey. Arnoux was instrumental in engineering and installing the station and will devote one day weekly to WRTD as well as continue his activities at WTAR.

**Good-Nite Cream** on KTOK, Oklahoma City, with warbler Dott Malone, Friday nights, 15 mins.

# New Challenge Of Procedure By F.C.C. Made

Washington, April 5.

Whether the Federal Communications Commission change its mind within a few hours and the right of licensees to urge regulation changes are the chief issues in a case of widespread interest argued Monday (4) before the District of Columbia Court of Appeals.

Seeking reversal of the Commish grant by which WATR, Waterbury, Conn., was allowed to shift frequency and increase power, attorneys for three users of 1290 kc—WJAS, Pittsburgh, KDYL, Salt Lake City, and WEBC, Duluth—raised novel sues in contending that the regulatory body exercised power which it does not possess.

Fate of some 80 applications for greater night power may hinge on the judges' decision in the case. One of the basic questions is whether a license-holder can ask for a change in rules or whether the Commish can modify existing standards only on its own initiation. If the Court denies the right of applicants to seek revision of regulations, the mass of pleas for 5 kw. for night operation of regional transmitters is doomed.

In answering one of the three lated appeals, William H. Bauer, newly-designated court mouthpiece for the Commish, said the complainants have no standing in court since their pleas for 5 kw. are in violation of the present rules. As long as the regs are in effect, stations fancying they are injured have no remedy, h argued in effect.

The other central issue is the right of the FCC to vacate its own orders and reverse itself without notice to parties concerned. KDYL claimed that once the WATR request had been denied, it was illegal for the Broadcast Division within a few hours and without public explanation to adopt another decision granting the plea. Particularly when no statement of facts supporting the first—the adverse—action ever w forthcoming.

## 'RADIO CENTER' BILLING BORROWED BY KYW

Philadelphia, April 5.

WPEN, 250-watter here, chuckling over KYW publicity announcing that latter outlet when it moves into new building on May 16 will call itself 'Radio Center.' Tag also adorns head of its new stationery.

For years WPEN has been calling itself 'Radio Center' and has well established its right to the title through usage. Everyone in Philly knows it as that. That's why Dwight Rorer, g.m., isn't doing a burn over the NBC 10,000-watter's steal. He figures it'll be good publicity for his outfit.

Entire Philly radio industry giggling at KYW and WFIL over their race to be first to throw a shindig in honor of opening of their new studios. KYW announced during past week that it will open during week of May 16. WFIL hasn't announced its date yet, apparently waiting to make sure KYW doesn't pull swiftie and move its up.

KYW will move into a new building in May. WFIL has been in its new headquarters since last fall, but hasn't dedicated them yet.

**NBC Symph Back on WCOL**

Columbus, April 5.

NBC Symphony, dropped fro WCOL schedule at close of Toscanini series, has been re-scheduled by the station. Pressure from local listeners, led by music clubs and local radio eds, responsible for change in policy.

In Baltimore, it's
WFBR
ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

# SOME PROPOSITIONS WORTH LOOKING INTO

**A**n advertising agency buying a book costing $5 means business. Five-dollar books are too expensive to use as decorations for the book-shelf or playthings for the stenographers.

**W**hen repeat orders on such $5 item consistently come in, that begins to sound interesting.

**B**ut when advertising agencies controlling 96% of ALL NATIONAL RADIO MONEY go through this buying process again and again until each has from one to 15 copies, then—then your proposition is self-evident.

That's the story of the VARIETY RADIO DIRECTORY agency circulation in a nutshell. A mighty medium for those who want to reach the MEN WHO PILOT RADIO'S MONEY.

Vol. II of the RADIO DIRECTORY is now in preparation. For rates and further details consult your nearest VARIETY office.

**VARIETY RADIO DIRECTORY**

| NEW YORK | CHICAGO | HOLLYWOOD | LONDON |
|---|---|---|---|
| 154 West 46th St. | 54 W. Randolph St. | 1708 No. Vine St. | 8 St. Martin's Place |

# RIVALS LACK RIGHT TO DEMAND LICENSE BE CANCELLED, WRNL DEFENSE DECLARES

### Fisher-Kendall Call Previous Rap Against New Richmond Station 'Frivolous'—Raise Point That in Any Event Law's Only Measure Is Public Interest

Washington, April 5.

Rival broadcasters have no right under the Communications Act to move for deletion of an existing station, whatever the reason, attorneys for WRNL told the Federal Communicati Commission this week in answer to novel type of squawk from WMBG, Richmond.

Validity of the WMBG plea was challenged by Ben S. Fisher and John W. Kendall, who filed a detailed explanation why WRNL, recently removed from Petersburg, has not carried more cultural, civic, religious, and educational programs. Added that the station has devoted a large amount of time to serving such fare to Virgini listeners, despite what the protesting competitors have to say.

Charging the motion 'frivolous and absolutely without merit,' defense lawyers said Communications Act does not give any person the privilege of requesting license revocati Power and authority of this sort granted under Section 312 'runs to and is vested in the Commission,' Fisher and Kendall contended. Proper proceeding for any aggrieved individual would be to submit a formal complaint charging that specific actions are not in the public interest and question of procedure should be left to the FCC.

**Equipment Delays**

After beginning operation in Richmond last Nov. 14, WRNL has been functioning under handicaps, Commish was told. New studios were not ready for use until Jan. 29, when they were still unfinished but fit for partial occupancy. Control rooms were used to put on programs until Feb. 11 when remainder of the new plant became usable. Programs of educational, civic and community nature were commenced immediately. Furniture was not received until Feb. 19 and even now all equipment has not been installed. Defendants said these facts were known to rival station owners.

'Station WRNL has operated in Richmond, Va., up to Feb. 11, 1938 and even to the present time, under unusual and difficult circumstances in that no adequate studio facilities have been available from which to broadcast educational, civic, charitable, and religious programs,' answer said. Added that WRNL still intends to serve listeners with novel type of non-commercial programs.

To back up demurrer, defense lawyers submitted numerous exhibits and affidavits about the efforts made to build up the station and the type of programs produced since the station moved into the Richmond area. Showed owners, including the News-Leader, have spent about $110,000 in building antenna, transmitter house, studios, etc., commenting this proves they are not primarily concerned about the profit side of the ledger.

Even if the Commish finds that past operations have not been in complete conformity with the plans outlined seeking the permit to move the transmitter, the only test which WRNL should be required to pass in order to keep its license is public interest, counsel for the accused broadcaster said. If the programs are of public interest and comply with the law, then the mere fact that they have not been identical with the outline of proposed programs does not justify deletion or even a complaint.

Bolstering the answer, WRNL showed that between Nov. 15, 1937 and March 26, 1938, 85 2/3 hours were devoted entirely to educational programs, 63½ hours to civic programs, and considerable time to nine different religious programs. Affidavits from officers of University of Virginia and Willian & Mary College, telling of past and contemplated broadcasts over the transmitter, supplemented the exhibits.

**Announcers Shift in N. O.**

New Orleans, April 5.

Two local announcers quit their posts Saturday (2). William Lastrapes, who miked under the name of Don Lewis on WSMB, resigned to become secretary to Clark Salmon, managing editor of the Item-Tribune. He was succeeded by Billy Elliott, who resigned similar post at WDSU.

Elliott replaced by Elmer Feldheim, who formerly warbled over station with numerous bands. Some 70 aspirants auditioned for the WDSU vacancy, Joe Uhalt, WDSU prexy said.

**Sherb Herrick** pinch hit for Forrest Willis as emcee of Montgomery-Ward daily program over WOKO, Albany, while Willis vacationed.

## F.C.C. QUESTION OUT

**Stations Don't Have to Answer One —Correction Mailed**

Washington, April .

It's all a mistake, that F.C.C. request for broadcasters to tell 'the amount of the difference between the network revenue reported above and the amount of net billings to users for such network broadcasting, with respect to the time of this station.'

Correction on Order No. 38, requiring financial data, went out Friday (1) with explanation that licensees need not respond to this question unless later specifically asked for such info.

## St. Louis Paper Wins Right to Radio Station After Obstruction Fails

St. Louis, April 5.

Long fight for commercial radio station was won last week by the Star-Times Publishing Co., when the United States Supreme Court indirectly granted full-time by denying the petition of the Missouri Broadcasting Co., owner and operator of WIL, to review the Court of Appeals decision wherein it had confirmed the FCC in its grant to the Star-Times.

Shortly after the Star-Times filed its application to operate on a 1,250 frequency WIL and KSD started legal proceedings to block the grant. Delays and hearings held up the application until Sept., 1936, when the FCC granted the station to the Star-Times. The award was appealed to the Court of Appeals of the District of Columbia which upheld FCC.

From the Court of Appeals a writ of certiorari was used to take the case to the Supreme Court.

Ray V. Hamilton, who has been directing the battle for the Star-Times and who will be general manager of the new station which will have the call letters KXOK, id plans, held up by the litigation, will be put into effect immediately and the studios and offices will be located in the newspaper plant. Station's transmitter will be erected across the Mississippi river in Illinois. Estimated over-all costs of the offices, studios, equipment and buildings have been set at $150,000.

Entrance of KXOK into the local radio field brings the number of stations here to , the others being KWK, KMOX, KSD, KFUO, WEW and WIL. WTMV, in East St. Louis, across the river, brings the total to eight in the metropolitan area. Three of these stations, KMOX, KWK and KSD, are on national chains and the rest are independently operated.

## Camden Deal Cold

Camden, April 5.

Latest development in the negotiations being carried by the Camden City Commission to lease municipally-owned WCAM for a period of 10 years leaves the city almost exactly where it started five or six weeks ago. Following several weeks of impatient waiting for final word as to whether its bid had been definitely accepted, Cam, Inc., last week informed Mayor Brunner, in a letter sent by the organization's attorney, Sidney Shur, that its offer to pay $3,600 yearly rent for -ducting the station had been withdrawn.

Shur gave as the reason for the action the fact that Cam's backer. four Jerseyites, were of the opinion that the city had taken enough time to decide yes or , and that they weren't getting anywhere. Cam asked that the $15,000 certified check submitted with the bid be returned, and city complied.

**Jobs Reassigned WSPR**

Springfield, Mass., April .

Departmental shak -up at WSPR adds up this way: Program and music director, Wayne H. Latham; news and press, Howard S. Keefe; chief announcer and artists' bureau head, Elwin N. Tacy.

Latham had headed publicity and artists' divisions.

## Sound Asleep Stations

(*Reprinted From* VARIETY *Feb.* 20, 1934)

So far as management, showmanship, or alertness to program opportunities is concerned some radio broadcasting companies are sound asleep.

There are stations ranking third, fourth or also ran in their local communities that ought to be at least second. Everything favors them yet they lag behind.

There are stations that have local opposition, yet radio fans habitually tune in other cities in preference. And there are stations that exist in a state of coma making practically no effort to serve their community beyond providing an occasional 15 minutes for the local congressman to do some political burning.

But perhaps the most self-beguiled of all the broadcasting gentry are certain station men who have, through the sheer accident of geography and position, a favorable balance of trade. They look at their books and fancy that the black ink is a mirror of their own clever showmanship reflected the discriminating selection of phonograph records.

**They Sit and Think**

Among station men there are extremely shrewd broadcasters. And there are also some marathon thumb-tweedlers and swivel chair polishers. They think its still 1927 and that radio miraculous contract net that needs only be hauled in full of fish. A nice personality, a set of golf clubs, a few social contacts, and success in broadcasting is assured.

Advertising agencies in New York, Chicago and other large centers are growing aware of the stations that are muffing opportunities, that are 'tied for third place' so to speak. And its about ripe for some of the stations to snap out of the trance.

It's happened more than once that 1,000-watts makes a monkey out of 10,000-watts. And even the mighty 50,000-watters have been casionally painfully reminded of the competitive intelligence of some haughtily deprecated upstart with a feeble dynamo but plenty of showmanship.

# Louis Caldwell Propounds Five-Point Measurement Theory on 'Public Need'

Washington, April 5.

Adoption of a reliable formula for measuring need for radio service was urged upon the Federal Communications Commission last week in final-round proceedings over a new station at Tampa.

Concrete interpretation of the basic phrase in the Communications Act—public interest, convenience, and necessity—is imperative, Louis G. Caldwell, counsel for the Tampa Tribune, asserted in a professorial memorandum elaborating on his oral argument supporting the rag's plea for a construction permit. Paper wants to operate on 940 kc.

Discussing the application of the law to specific situations, the former Federal Radio Commission general counsel lectured the Commish on the importance of a need-yardstick. Then proceeded to use his formula in weighing the presented for his client.

Observed that the District of Columbia Court of Appeals recently held the FCC must make specific findings of fact to support its decisions. Cannot just say that 'need' for a new transmitter does or doesn't exist, Caldwell translated. Regulators must make some tests to determine the answer to this question.

Holding that 'need' is virtually synonymous with 'necessity' in a legal sense, the attorney, a leader in the field of radio law, suggested that five broad factors ought to receive more or less consideration in arriving at conclusion whether existing service is ample or more should be provided. they are:

1. Technical considerations, such as interference, power, availability of frequencies.
2. Geographical distribution. This involves where stations shall be located for the greatest public benefit.
3. Fitness of applicant, with -gard to citizenship, financial -sources, and technical knowledge.
4. Program service. This covers present service, plans of the proposed transmitter, talent resources, etc.
5. Economic aspects, such as probable advertising support, effect of additional competition upon existing licensees, etc.

While rigid tests cannot be used in any one of these phases of the need problem, the Commish ought to examine into each of the aspects before reaching a conclusion about the necessity for more transmitters in any area. Same weight should not be given in every case, view of the wide variations encountered in different proceedings.

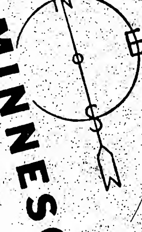
**Economic Test**

Economic tests should not be a governing factor, although the Commish is giving it more and more importance, Caldwell opined. Pointed out that Congress never considered the money side of radio in writing the 1927 or the 1934 act. Emphasis on station income often unjustified, he explained, because conditions may change rapidly in any given spot. Likewise with effect of more rivalry on present transmitters.

Objective of the Communications Act to provide satisfactory and adequate public Caldwell reminded the airwave cops. Money-making cannot be the principal motive of broadcasters, under the act, since it is public, not private, interest that licensees are obligated to serve.

Other novel test which has been used with increasing frequency the past few years—program service —also ought not be allowed to play too big a part in determining Commish conclusions. Attorney pointed out that deficiencies can be overcome and offenses punished by warning stations by forcing them to justify their existence when seeking renewal licenses. Competition often will be helpful in lifting the standards.

**Julio Occhibol** celebrates 10th year as musical director at WOV, N. Y., today (6).



KROC
ROCHESTER • MINNESOTA
CROSSROADS OF THE NATION STATION

KROC SERVES

| | Primary | Secondary |
|---|---|---|
| Population | 239,794 | 237,901 |
| Families | 57,324 | 58,271 |
| Radio Homes | 51,459 | 50,347 |
| Retail Sales | $67,328,000 | $39,851,000 |
| Spendable Income | $109,358,000 | $97,491,000 |

89% of all families own one or more radio sets. Nearly 500,000 persons are KROC minded.

Results COUNT MOST
CJCA
EDMONTON
ALBERTA
Largest and Most Popular Station In Northern Alberta
Basic CBC
WEED & COMPANY
RADIO STATION REPRESENTATIVES
NEW YORK • CHICAGO
DETROIT • SAN FRANCISCO

CFCF
MONTREAL
CFCF—while not classed as a -power station, enjoys an enviable position its larger brothers. NBC Affiliate —centrally located, intensive signal—no outside competition.
N. B. C.
Affiliate
WEED & COMPANY, CFCF UNITED STATES REPRESENTATIVES

# DON'T-WAKE-US-UP STATIONS

## THOSE THAT PASS LOCAL PRODUCT

### Advertising Agency Interested in Local Live Talent Prospects Finds Little Improvement in Either Facilities or Attitude

### BORED

A surprising number of radio stations, many of them importantly situated and extremely prosperous, remain almost helpless and as hopeless as they were five years ago so far as ability to develop, write, cast, direct or produce radio programs is concerned. If anything they are more dependent on outside support of networks, transcriptions and chain break blurbs than ever before.

Failure to develop any consciousness of this production weakness is shrugged off on the facile grounds that there isn't much demand. These broadcasters are radio's great optimists—they expect to continue to indefinitely enjoy prosperity without ever creating ideas doing anything beyond a routine engineering and clerical job.

Early 1934—four years ago—**Variety** carried a radio story under the banner-line 'Sound Asleep Stations.' It reported that national advertising agencies, or those among them who were receptive to sponsoring local live talent programs, were discouraged by the lack of interest in building programs displayed by many stations—some of them of big wattage and considerable age.

Recent experience of one of the largest oil companies tends to suggest that not very much progress has been made by some of these stations. The snoozers, in short, despite the experiences of recent years are still snoozing. And don't appreciate any hints that they ought to wake up.

**'We Don't Bother Much'**

It was during the present month (March, 1938) that an agency for this oil account directed a letter to several major stations asking them to submit available live talent programs. The inquiry made no mention of cost or preferred type.

One station wrote that all it could offer was a studio orchestra and a singer. Another replied that the account could have its choice between a piano team and vocalist (soprano) with orchestra. A third, located in the south and operating at 50,000 watts, said that it didn't do much in the way of local live talent programs, while a fourth, also of clear channel standing, advised that it would be glad to bring some live talent if the agency would suggest what it wanted.

These responses caused the agency to wonder if the condition revealed could be considered a good index as to how things were nationally and whether the stations have come so to depend on canned and wired entertainment that the locally produced variety, comedy or dramatic show will soon so become a rarity.

## Clergy League on WNEW

Clergy League for America has set series of exclusive broadcasts on WNEW, N.Y. Program goes on every morning at :30 for 15 minutes excepting Wednesdays and Sundays.

Programs described as Morning Meditations include brief religious talks and hymns.

### KVOR Man to KTOK

Oklahoma City, April 5.

Paul J. Hughes, new editor for KVOR, Colorado Springs, will join KTOK, Oklahoma City, as program director.

Paul Buenning, present program director, will become head of the merchandising and promotion department.

## Blair Gets WFLA, Tampa

WFLA, Tampa, Fla., goes on the national representation list of John Blair & Co. next Friday (15).

Blair also has WJAX, Jacksonville, and WQAM, Miami.

### Mountain Pete to WHO

Detroit, April 5.

Mountain Pete and his Mountaineers, heard for past five years over WXYZ, Detroit, and the Michigan network, will join WHO, Des Moines, on April 21.

James Irwin, vet member of WXYZ's dramatic group and 'Michael Axford' in 'The Green Hornet' show, is due back on air soon after several months' rest following breakdown.

## KRSC, SEATTLE, ON GENERAL MILLS LIST

Seattle, April 5.

Station KRSC gets summer radio plum, the Pacific Coast league baseball games to be sponsored by General Mills' 'Wheaties.' Manager Robert Priebe won out following heated bidding among the local outlets, with this simmering down to KJR (NBC) and KRSC.

Baseball has heretofore been aired by KIRO, but since it became a CBS outlet it could not clear the time required. Seattle Indians are now under new management this year.

**WHKC**, Columbus, scouring Ohio State University campus for radio talent.

## Here and There

**Sid Boyling** new production manager at CHAB, Moosejaw, replacing Louis Bourgeouis, who has become commercial chief.

**Lowell 'Jiggs' Miller** new program director at KFAB, Lincoln, Neb. Formerly at KFEQ, St. Joe, Mo.

**Oklahoma Network,** of which KTOK, Oklahoma City, the key station, celebrated its first anniversary Friday (1).

**Chet Boswell**, singing newcomer to Pittsburgh, has landed commercial. Max Azen fur store sponsoring weekly 15-minute series on KQV.

**J. O. Maland**, of WHO, Des Moines, on trip to New York and Washington.

**Doris McClain**, scripter on KABC, San Antonio, playing lead in Little Theatre show.

**Victor Craze**, newscast editor of WOAI, San Antonio, switched to Galveston News.

**Joe Villella**, KQV, Pittsburgh, veteran, rushed to hospital over the week-end for an appendix operation.

*"We're all out-a that, Missus Jones, I should-a had sense enough to re-order when they started that new show on W L W."*

# FAVORITISM OF A. T. & T. ENDED IN 1936 UNDER GOV'T INVESTIGATION THREAT

## F.C.C. Recites Its Case Against Bell System—Much Radio History Included in Document Filed with Congress

Washington, April 5.

Sweeping extension of Federal regulatory powers over the Bell telephone system, including control over provision of wire service to the broadcasting industry, was suggested to Congress Friday (1) in voluminous report on the $1,500,000 Federal Communications Commission probe of the telephone industry.

Review of the American Telephone & Telegraph Co.'s admitted attempt to gain monopolistic position in radio field was one of the highlights of the 1,065-page, four-volume report on the two-year investigation. Recommendations do not bear FCC endorsement, but were in the nature of proposals from Commissioner Paul A. Walker and staff which conducted the study.

Chief among the many suggestions was one of direct importance to broadcasters. Congress was asked to amend Section 202 of the Communications Act so the FCC can prevent discrimination of any kind by the Bell system in providing land lines for radio stations and networks.

Of general interest to broadcasting are conclusions that the Bell organization should be forced to - lease patents on non-communications inventions and equipment; Western Electric should be brought under Federal supervision, and government should have stricter control over all business practices and policies of the parent institution.

The bulky volume dealing with policies and practices of the Bell system contained a chapter surveying the early interest which the A.T.&T. showed in radio, the way in which patents were swapped to give the telephone people a strangle-hold on the infant broadcasting business, the acknowledged desire of Bell bosses to monopolize commercial advertising the air, the huge expenses for research in development of radio apparatus and technic, the huge sums grabbed from broadcasters for station connections and the changing attitude of the telephone monopoly toward radio.

Report brought to light $5,500,000 annual revenue in 1935 coming from stations and networks. (Revised tariffs filed while the probe was in progress sliced estimated $530,000, or roughly 10%, from this figure).

### Western Union

With the telephone monopoly reluctant to link its transmission facilities with other carriers or to serve stations who obtain wires elsewhere, the A.T.&T. received over 99% of the amount which broadcasters spent for land hookups in 1935, the report showed. Western Union, which rented only little over 300 miles of circuits for radio use in July, 1936, received only $10,754 in 1935 and Postal Telegraph's revenues for use of 3.369 miles of channels was mere $18.865. In sharp contrast, the Bell system had many thousand miles of wire leased to broadcasters, with NBC renting 24,949 miles and CBS 17,217.

In supporting the request for legislation empowering the FCC to regulate relations between the Bell system and the radio industry, the investigators recalled instances of discrimination on the part of the A. T. & T. Following the 1926 patent agreement—by which the radio business was divvied among the electrical manufacturers and the telephone monopoly—the Bell organization favored Radio Corporation of America, General Electric, and Westinghouse. Allowed them to connect with and use wire facilities of other carriers—although the average broadcaster could not patronize both A. T. & T. and it rivals—and promised not to start infringement suits because of the use of Bell patents non-Bell facilities. For a period, the telephone monopoly followed a policy of refusing wire connections to broadcasters refusing failing to obtain licenses to use Bell patents.

### Bell Patents

Washington, April 5.

/ Bell System important owner of radio patents, in addition to having access to ideas of other manufacturers through cross-licensing agreements.

Including some of the more valuable patents the radio field, telephone monopoly has 875 franchises, or 15.1 percent of those issued by the Patent Office, which are still effective. Out of these, 41.7% were in active use, Federal Communications Commission revealed.

On the subject of A. T. & T. efforts to dominate the program transmission field, the report observed that 'prohibiting interconnections has been an effective means of preventing competition in the furnishing of wire facilities for broadcast purposes.' Remarked that hard-hearted attitude was maintained from May, 1924 until late 1936.

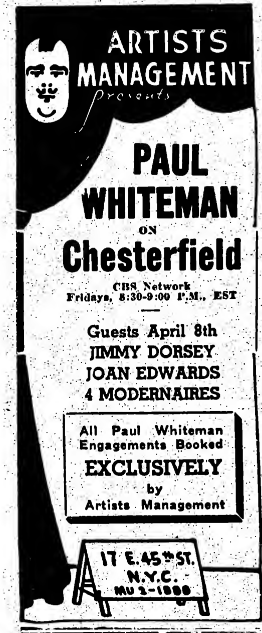
Two concrete instances of discrimination were mentioned in the report, which pointed out that—despite official tariffs prohibiting interconnections between Bell lines and other facilities—numerous exceptions have been made on behalf of favorites. Policy was temporarily shelved 'in the interest of public relations.'

Probers spotlighted the breaks given Westinghouse, which used Western Union circuits to link WBZ and WBZA, and the concessions for WCAU, Philadelphia, which wanted to use lines of the rival Keystone Telephone Co. as well as the A.T.& T. associates. Also remarked that Bell outfit winked at use of Western Union lines by WRAX-WPEN, Philly, and WFAB, WEVD, and WOV, New York. In contrast, the A.T.& T. forced the short-lived American Broadcasting System to quit dealing with Western Union, under threat to withdraw all Bell service. These matters involved violation of tariffs filed with the FCC for varying periods.

Other practices which broadcasters disliked have been materially modified since the inquiry started, the report noted. Recalls revision in tariffs relating to measuring mileage, connection charges, minimum period requirements, and interconnections, estimated to cut radio's bill $530,000.

Summarizing, the probers said 'By reason of its extensive wire networks, its patent position, and the enforcement of the policies and practices herein discussed, the Bell System has attained a virtual monopoly in the furnishing of wire facilities to broadcasters.' Since the Bell people gained this position prior to the Communications Act, the Commish ought to have broader control powers, report noted.

'In view of the policies and practices that have been formulated and fostered prior to regulation, the necessity of strict regulation of the Bell System's charges, practices, classifications, regulation, facilities, and services in connection with the use of wires in chain broadcasting or incidental to radio communication of any kind, is apparent, if this type of communication is to develop and expand in the public interest.' Congress was told. Phraseology changes in the law are desirable to help the Commish deal with any future discrimination.


ARTISTS MANAGEMENT
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ON
Chesterfield
CBS Network
Fridays, 8:30-9:00 P.M., EST
Guests April 8th
JIMMY DORSEY
JOAN EDWARDS
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All Paul Whiteman Engagements Booked EXCLUSIVELY by Artists Management
17 E. 45th ST.
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NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap · 99 44/100 % pure
LISTEN IN.. TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. EST
CBS - WABC— 2:15 to 2:30 P.M. EST
COAST TO COAST
Dir., COMPTON ADVERTISING AGENCY
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

### Frank Rand Goes Touring

Chicago, April 5.

Frank Rand, press chief of Columbia web for the midwest, off on a week whirlwind travel. Flies to Des Moines for talk on radio before University of Iowa Community theatre group; carries on to Lincoln and Omaha for some newspaper missionary work.

Then back here overnight for opening of Household Finance, 'It Can Be Done' show on CBS and immediately to Minneapolis for opening of new Columbia-WCCO studios.

---

**Stanley theatre,** Pittsburgh, has outfitted a radio studio backstage where in future Bob McKee's interviews with celebrities over WCAE will be broadcast.

## FILE: PUBLIC SERVICE

### WMBD, Peoria, Plays Prominent Role As Tornado Strikes

Peoria, Ill., April 5.

WMBD had its short-wave equipment on hand shortly after the tornado struck at Pekin, 18 miles away, last Wed. (30). It was immediately taken over by police and Red Cross officials as only means of communication out of stricken area.

Through the station medical and rescue workers were summoned and directed to the scene of the disaster which took nine lives, injured 100 and caused $1,000,000 damage.

Jack Brickhouse, WMBD special events announcer, was one of the first on the scene along with three men from station's engineering staff. After setting up, men relayed info back and forth between police present and state cop headquarters at Springfield, 90 miles distant.

At the station's studio in Peoria, performers launched a relief fund campaign which netted $1,000.

# CREDIT HOUSES' SOCIAL DEFENSE

Louisville, April 5.

Station WGRC, of New Albany, Indiana, which also maintains a studio in Louisville, is broadcasting in cooperation with the local Retail Merchants Credit Men's Assn. a 15-minute stanza each Sunday afternoon, stressing 'Pay Your Bills Promptly.'

Programs, which are of the q. and a. type, have done much to break down the public antagonism toward credit organizations. The method of acquainting the public with the subject of credit, as a moral , has resulted in benefits to the association and also has been an aid to the merchant, and the consumer as well.

# Massachusetts Proposed Law on Libel Strongly Assailed by Stations

Boston, April 5.

Radio station operators from all sections of Massachusetts appeared before the Legislative Committee on the Judiciary last week in opposition to a proposed law for Massachusetts offered by Representative Philip Bowker of Brookline, to establish responsibility for defamation of character by radio broadcasts.

Specifically, the measure would require broadcasting stations to take and keep a transcript by writing or a recording device of every statement issued by them. It would apply both to commercial and political programs, and failure to comply with its provisions would make the offender subject to a fine of $500. Both the speaker and the radio station would be responsible and subject to punishment on the law of libel. The owner of the radio station, however, would not be held for libel if he could prove that his station exercises due care to prevent the utterance of libel.

Radio station owners in Massachusetts bitterly oppose the proposal before the committee on the ground that it would violate the law of free speech which is specifically guaranteed in the Constitution of the Commonwealth of Massachusetts. They also fought the bill on the ground that it would be nuisance legislation, expensive and a bother.

### Woody Klose Adds a Title

St. Louis, April 5.

Woody Klose, Program Director at WTMV, East St. Louis, now has title of Assistant Manager to William H. West, vice-president and general manager. Klose will have charge of WTMV's sales staff as well as the program dept.

JOSEF CHERNIAVSKY
Now with the Nation's Station
WLW
CINCINNATI
The Musical C:
Every Sunday
at 6 P.M. EST

## Crews Manager of KYOS, Woodling Opening KWLK

Merced, Cal., April 5.

New manager of KYOS here is John W. Crews, former assistant manager and previously with KPO and KJBS in San Francisco. Crews succeeds M. F. Woodling, who left KYOS to become manager of KWLK, new station in Longview, Wash. Also shifting to KWLK is Kenneth Aitken, former KYOS announcer-operator, who will fill a similar position on the Longview transmitter's staff.

Another change in KYOS personnel occurred when former sales representative Norman I. Schwartz left to join the sales staff of the Modesto (Cal.) Shopping News.

Carl Hoff
AND HIS ORCHESTRA
TUESDAY
FORD PROGRAM
9 to 9:30 P.M. EST
CBS Coast-to-Coast
SATURDAY
LUCKY STRIKE HIT PARADE
10 to 10:45 P.M. EST
CBS Coast-to-Coast
Exclusive Management MCA

ED CASHMAN
COLUMBIA ARTISTS INC

THE Barnet BULLETIN
CHARLIE BARNET
And His Orchestra
Picked to Play
WILLIAMS COLLEGE
WILLIAMSTOWN, MASS.
MAY 13, 14
EXCLUSIVE MANAGEMENT
CONSOLIDATED

DON ROSS
THE RHYMING MINSTREL
12 O'CLOCK NOON
EVERY MONDAY
WEDNESDAY and FRIDAY
Mutual Broadcasting System
FOR
BOSCO

FRANK CARTER
APPEARING NIGHTLY
BILLY ROSE'S CASA MANANA
NEW YORK
SWING PIANO DUO
BOWIE

HEADING FOR THE NETWORKS
LANNY GREY'S RHYTHM SCHOOL OF THE AIR
Pupils of the Class
Mary McHugh—Platinum-voiced Pretty.
Don Richards—Toreador of Song.
Lucille and Lanny—Combination of Swing-roo.
Jimmy Rich—Bad Boy & Nursery Rhyme King.
And Lanny Grey as the Rhythmaster.

# Westinghouse Relationship to NBC Subject of F.C.C. Investigation

Washington, April 5.

Investigation of the contractual relationships between National Broadcasting Co. and Westinghouse was ordered Wednesday (30) as forerunner to the Federal Communications Commission inquiry into the general question of chain broadcasting, monopoly, and financial control of the broadcasting industry.

Not directly linked with the broad probe, the Westinghouse — NBC study, to be conducted by the Law Department, involves the question of possible violations of the Communications Act. Attorneys were told to see whether either of the parties trespassed on Section 310b in carrying out terms of the 1932 consent decree in the famous patent pool

Background of the inquiry is the grilling given Commissioner T. A. M. Craven last December during his appearance before the House Appropriations Committee. Unable to give off-hand any information which Congressman Richard B. Wigglesworth wanted about the so-called Westinghouse leases, Craven later asked the law department for data and was told that no leases were file with the Commish. When this was told to the House committee, several lawmakers raised their eyebrows, privately asserting the Commish was trying to cover up facts in the matter.

Order to the Law Department followed several weeks of study directed at the status of KDKA, Pittsburgh; KYW, Philadelphia; WBZA, Springfield, and WBZ, Boston. Lawyers went into the agreement between Westinghouse and NBC which is part of the consent decree on file in the Delaware Federal court. Craven also made his own investigation and was unsatisfied with the Law Department's report that the pacts are not leases in the legal sense and do not come under the commish jurisdiction.

### What Is a Lease?

Question of what is a lease is the heart of the matter. Conclusion of the inquiry will be of considerable interest throughout the industry, since it will tend to clarify doubts about management and program contracts.

The commish lawyers took the position that the contracts did not result in transferring control of the four Westinghouse transmitters in any way that is contrary to Section 310b. This is the part of the statute which says the FCC must grant its consent before the license, permission to use a frequency, or any other right can be handed over to another person or corporation.

Exact status of the Westinghouse stations has been a matter of dispute within the trade for a long time. Owner considers that WBZ-WBZA team is 'leased' to NBC, but that the web only 'programs' the two Pennsylvania plants. Licenses of all are issued to Westinghouse.

Under the Delaware court order Westinghouse appointed NBC 'its sole agent for . . . the purpose of supplying programs' over a 10-year period which ends Dec. 31, 1042. Pact said that Westinghouse would retain 'the ownership, operation, and control' of the transmitters.

Financial clauses and provisions of the contract regarding operation of the station raise doubt whether Westinghouse or NBC—despite -tention set forth in the document—actually directs the running of the business of these plants. Contract gives NBC 'the sole right to deter- what rates it shall charge commercial advertisers' and gives the web the revenues from operations. In addition, NBC must pay for programs and regular wire charges and indemnify Westinghouse against any claims, including libel and copyright damages.

### $600,000 a Year

Section 12 of the pact contains the provisions which are the nub of the controversy. Sets forth the amounts Westinghouse will receive from the web on a monthly basis from February, 1933, through January, 1943, totaling more than $600,000 a year. Covers 'expense of technical operation,' 'depreciation,' reimbursement to Westinghouse for maintenance, 'interest the total investment,' and rent of studio and office space.

Most significant features of this section are paragraphs requiring NBC to pay $125,000 annually for a reason not specified and 25% of any additional income received by reason of rate increases.

Laymen and lawyers disagree, while some of the commish attorneys reported none too certain, whether this portion of the agreement leaves Westinghouse in actual control or makes NBC responsible for operating as well as 'programming' the station. Some members of the commish who have studied the pact are pretty well convinced that control, within the meaning of the communications act, reposes with NBC and that only technical functioning is carried on by the real owner.

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**Bob Watson,** formerly with Interstate Circuit of film theatres (Par subsid) has joined KGNC, Amarillo, Texas, as an announcer. Verne Hatchett has left continuity staff of station.

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## POLITICS BOOMERANGS

### Station's Boss Brother of Outspoken WELI Commentator

New Haven, April 5.

Michael J. Goode, political commentator, off WELI list because of outside pressure.

Chatterer's brother, Patrick J. Goode, station prexy, and complaints of those burned over air talks became embarrassing. Thought best to drop weekly series, in spite of known large audience.

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# MORRIS PLAN LOCAL 'JURY' SHOW EXPANDS

Morris Plan Bank of New York is increasing the time of the dramatic show, 'You, the Unseen Jury,' it has on WEAF, N. Y., Tuesday evenings from 15 minutes to a half hour. It is also trying to get MP's in other cities to release the program on a co-op basis.

Series started on WEAF six weeks ago.

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# Government Says Telephone Co. Passes Radio Tests to Phone Users

Washington, April 5.

Huge proportion of the money spent by the Bell system in research work in the past decade has been earmarked for developments having direct bearing on broadcasting and television.

Study of the Bell organization's laboratory activities released by the Federal Communications Commission Friday (1) shows that most of the $27,000,00 consumed by Bell Laboratories on most important projects went into experiments which might either injure or benefit the radio business. Depends on the way the results applied.

Leading research expense was $14,222,212 gobbled up by scientists toying with wire transmission methods and apparatus which have had relatively slight commercial value to date. Breakdown shows $1,321,183 invested in television plus $969,011 in coaxial conductors and $949,728 in picture transmission (chiefly telephoto). For radio transmission research, A.T.&T. used $9,191,095, bulk for short-wave investigations. Another $4,438,758 was spent on general transmission apparatus studies, which involve both visual and aural broadcasting.

Telephone subscribers footed these bills, FCC probers reported, recommending legislation and regulation to prevent customer mulcting in the future.

Although A.T.&T. officials insist their interest in television is chiefly in transmission, investigation showed large sums were spent in working on sending and receiving apparatus. This purpose constituted about 65% of the total television research expense.

---

**Kidoodlers** will have their Sunday morning WJZ sustaining spot shifted to Sunday afternoon at 2:15.

"They say I'm a smart merchandiser—shucks,
it's easy in Cincinnati all you gotta do is
tie in to brands advertised on WSAI."

WSAI CINCINNATI
• National Spot Representative TRANSAMERICAN
NEW YORK CHICAGO HOLLYWOOD

# 802, New York, Pickets Hotel as 1st Step Against Non-Union Party Music

New York musicians union last week opened its campaign to establish a closed shop in the local hotel field by throwing a picket line around the Victoria hotel, just off the Times Square sector. New York Hotel Men's Association has been informed that unless it to meet the union on these issues soon the latter will undertake to treat with the member hotels individually. Local 802 is also demanding that the bands holding steady hotel jobs be put on a six-day week.

Union's objective is not the main dining rooms. These employ union musicians. What the local wants from the hotel managements are agreements stipulating that none but union men will be permitted to play at any private functions regardless of who does the booking. Competition from non-union men at such parties, banquets and dances has become too tough for Local 802 members. Union figures that the expenditure for non-union musicians at these miscellaneous events during 1937 exceeded $1,000,000.

With the placing of a picket line around a hotel Muzak, Inc., wired radio service, will be notified that the spot must not be serviced. In the event that there is an existing contract between the hotel and Muzak the latter is under obligation not only to shut off the but remove its receiving equipment.

## Fitzpatrick of WJR Says It's Up to Dance Leaders; Swingo Classics Offend

Detroit, April 5.

Now that listeners have shown their preference for sentiment over swing, as revealed in thousands of telegrams received here following recent sentiment versus swing controversy, Manager Leo Fitzpatrick of WJR has called off his ban on swinging of old-time ballads on sustaining programs from CBS.

Fitzpatrick, who started the rumpus by cutting off Tommy Dorsey's band while he was swinging 'Loch Lomond' over CBS, said the ban-lifting will apply only to network shows. Previous restrictions on WJR bands swinging sentimental ballads still holds.

'Our job is done,' Fitzpatrick asserted, 'if band leaders want to go on offending the public, we'll make no further effort to stop them.

## GENE KRUPA DISCS FOR BRUNSWICK

New Gene Krupa orchestra was signed Monday (4) to a year's contract to make recordings for Brunswick Records. Band will cut first set of platters April 14, when they do eight sides. Crew has been in rehearsal for the past two weeks in preparation for its formal debut April 16 at Atlantic City, N. J., following which it goes on shakedown cruise of 10 one-nighters.

Krupa's aggregation is composed of 14 pieces, three sax, three trumpets, like number of trombones, guitar, bass, piano and drums.

## Band Agency Disbands

After 12 years of operation as the Orchestra Corp. of America and Radio Orchestra Corp., last named will disband its offices. Present commitments will be absorbed by the Southern Music Corp. and Ralph Peer, prez.

Firm reorged about three years ago with new name of ROC. Norman Campbell, manager, stepped out couple of months ago, although he continued to occupy same offices on rental basis. He will now move to his own offices to handle personal biz of Isham Jones, Al Kavelin and Enoch Light.

## *On the Upbeat*

**New Benny Goodman** trio, replacing former quartet, comprises Lionel Hampton, Teddy Wilson and maestro Goodman. Formerly on vibraphone, Hampton hitting drums replacing exited Gene Krupa. Wilson and Goodman hit pi and clarinet, respectively. Davey Tough added later for quartet again.

**Eddie Varzos** back to the Bismarck hotel, Chicago, April 9 for CRA.

**Stan Norris** opens Chicago's new ballroom, New Eden, late this month.

**Buddy Rogers** plays Shubert theatre, Cincinnati, week of April 8.

**Dick Abbott** now at St. Charles hotel, New Orleans, for MCA moves north to Statler hotel, Boston, May 2.

**Art Kassell** plays for Statler hotel, Cleveland, starting April 15. Frank Gagen follows for MCA May 9.

**Wayne King's** theatre tour includes Lyric, Indianapolis, April 15; Fox, Detroit, 22; RKO Palace, Cleveland, 29; Stanley, Pittsburgh, May 6; Earle, Washington, 13, and Earle, Philadelphia, 20.

**Nat Brandwynne** opened at the Fairmont hotel, San Francisco, April 2.

**Herbie Holmes** preems at the Claridge hotel April 13 for MCA.

**Rockwell-O'Keefe** has a summer exclusive on Hamid's Million Dollar Pier, Atlantic City, N. J.

**Paul Sabin** opens an indef stay at Darling hotel, Wilmington, Del., April 16 for CRA.

**Top Hatters,** strollers, open at Abraham Lincoln hotel, Springfield, Ill., April 16.

**Murray Driscoll's** cocktailers, Rainbow Trio, into Community Coffee Shop, Birmingham, Ala., April 15 for CRA.

**Music Corp. of America** lost two summer spots, Elitch's Gardens and Lakeside Park, both in Denver, to CRA-Rockwell.

**Sonny Kendis** closes at the Belmont-Plaza, N. Y., April 19. Goes to Detroit or New Orleans following.

## Hotel Angles Up

Possible that the New York hotels may follow the lead of Chicago's inns and resist the sustaining wire levy of $100 weekly for band pickups. Local end is looking into the Chicago situation but is reserving comment until first hand information has been received.

Although admitting having received complaints, Campbell & Boland, attorneys for the New York Hotel Assn., port no activity in this direction. Both state and city offices of the association referred all queries to the attorney for the entire group. Latter are in turn noncommittal, though investigating the Windy City attitude.

Chi hotels and spots were only sked recently to defray the line charge costs and belled. Strike against same now in progress. New York spots have always paid.

Event of such a change would bring up the old question of publishers underwriting the nut of the broadcasting in turn for special considerations from leaders. Tone of some of the existing booking contracts could also permit pressure by booking offices which control song selection, etc.

## Staff Shakeup at CRA; Wolfe, Kirkeby Are Out, Zucker, Shaw Uncertain

Consolidated Radi Artists home office staff currently going through a shakeup. Bill Wolfe and Ed Kirkeby, club and radio-recording men respectively, went out last week. Positions of Stan Zucker, .p.. and Billy Shaw, one-nighter acc, are uncertain, it's reported.

Organization instituted graduating 10% to 20% cut in salaries a short time ago, but execs say the slices will be returned May 1. Situation is further aggravated by Music Corp. of America drive to get more National Broadcasting Co. pickup time for its bands. CRA, as a subsid of NBC, has an agreement with the parent org on pickups, but statements have it that the former has no guarantee of protection against MCA's attempts to get in on some of NBC's time. MCA, with a slew of name crews, already has plenty of time on Columbia and Mutual.

Kirkeby has moved over to the Phil Ponce office to handle Fats Waller's one-night touring and personally to rep Rudolf Friml, Jr. Dave Kapp, in charge of radio for CRA, replaces. Wolfe has gone over to his brother-in-law George Hall, who leaves the Taft Grill soon for one-nights.

**Little Jack Little** .. booked for annual J-Hop of U. of Detroit, April 22, in Graystone ballroom, Detroit.

# 50% Sold Out For Randall's Island Al Fresco Swing

Near capacity attendance is pected at the Martin Block-WNEW outdoor swing session for the benefit of unemployed musicians at Randall's Island Stadium, N. Y., May 29. Horseshoe seats approximately 22,500 and the station has already received about 11,000 applications for ducats at 50c a jitterbug. An additional 1,500 chairs placed in the infield, directly in front of the bandstand, will be reserved and sell for $1.50 copy. Stadium parking space accommodates 5,000 cars.

Session will mean a heavy extra revenue for the Triboro Bridge and the bus lines which run across it. Only way to get to the stadium by car at 25c per or by bus and a short walk. Also for subways and elevated lines. As a result of this bridge officials will erect signs advertising the affair and the transit companies have agreed to exploit it via the Subway Sun, sheet which is pasted to car windows.

Guest outfits will number about 25 or 30. All crews which will be within a radius of 50 miles of New York City at the tin have been asked to attend. Outfits already penciled in include Paul Whiteman, Rudy Vallee, Benny Goodman, Bunny Berigan, Red Norvo-Mildred Bailey, Hudson-De Lange, Kay Kyser, Sammy Kaye, Hal Kemp, Lucky Millinder, Erskine Hawkins, Larry Clinton, Joe Marsala, Duke Ellington, Chick Webb, Stuff Smith, Noble Sissle, Claude Hopkins, Louie Armstrong, et al., and Meryl Pitt and the Make Believe Ballroom Concert will go on for three and a half to five hours, but on the for only an hour and a half. Arrangements are such that each outfit will know exactly what time it is to go on so as not to create confusion and long waits.

Original idea was to have each band donate its services but that has since been amended. They will now be paid regular scale with the option of dumping it back into the fund.

Session will be the last of the season for O'Cedar, which sponsors it at the Criterion theatre, N. Y. May 22 is the finale at that house.

### Henderson's $750 Night

Lincoln, April 5.

Fletcher Henderson, the colored swinger, grossed $750 on a on -niter at King's ballroom here (25). Was sold at 75c per, advance, and 99c the door.

King's has booked Jimmy Grier, Carl 'Deacon' Moore, and Henry Busse with CRA to follow at intervals of two weeks.

## 15 Best Sheet Music Sellers

(*Week ending April 2, 1933*)

| | |
|---|---|
| Ti-Pi-Tin | Feist |
| *Heigh-Ho | Berlin |
| *Whistle While You Work | Berlin |
| *Thanks for the Memory | Paramount |
| Please Be Kind | Harms |
| *Goodnight, Angel | Berlin |
| *Love Walked In | Chappell |
| †In the Shade of the New Apple Tree | Chappell |
| I Double Dare You | Shapiro |
| *How Would You Like to Love Me? | Famous |
| Let's Sail to Dreamland | Spier |
| *On the Sentimental Side | Select |
| There's a Gold Mi in the Sky | Berlin |
| You're an Education | Remick |
| *A Gypsy Told Me So | Crawford |

** Indicates filmusical song. † Indicates stage production song. The others are pops.*

BERLIN·BULLETIN

RADIO CITY REVELS The Greatest Score in Years By Magidson and Wrubel
GOODNIGHT, ANGEL
THERE'S A NEW MOON OVER THE OLD MILL
TAKE A TIP FROM THE TULIP
SWINGIN' IN THE CORN

*A Flock o' Hits from*
*"SNOW WHITE AND THE SEVEN DWARFS"*
ONE SONG
HEIGH-HO! (The Dwarfs' Marching Song)
SOME DAY MY PRINCE WILL COME
WITH A SMILE AND A SONG
WHISTLE WHILE YOU WORK
THE SILLY SONG (THE DWARFS' YODEL SONG)
BLUDDLE-UDDLE-UM-DUM (The Dwarfs' Washing Song)
I'M WISHING

The Best Novelty Song of the Year
DO YE KEN JOHN PEEL?

HARRY LINK, Gen. Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

★ FIVE - STAR SONG SPECIALS ★

New Sensational Novelty Hit
I LOVE TO WHISTLE
By McHugh and Adamson
From the New Universal Production "MAD ABOUT MUSIC"

A Positive "Natural"
WHERE HAVE WE MET BEFORE?
By Louis Prima, Mitchell Parish and Jimmy Kiner

A Coast-to-Coast Hit
IT'S WONDERFUL
By Stuff Smith and Mitchell Parish

The Smash Hit of the Season
DON'T BE THAT WAY
By Benny Goodman, Edgar Sampson and Mitchell Parish

The New Ballad Hit
THERE'S A VILLAGE IN A VALLEY
By Mitchell Parish and Abner Silver

ROBBINS MUSIC CORPORATION · 799 SEVENTH AVENUE · NEW YORK CITY

# Legal Boys' Phrase-Making Holds Up Union's Pact with Recorders

American Federation of Musicians will likely defer the closing of a licensing agreement with the manufacturers of phonograph records until after the union has held its annual convention in Tampa, Fla., the week of June 7. With the AFM board and recording company lawyers still wide apart on the question of the legality of the taboo provisions of the proposed license, the former has elected to explain the situation to the convention and also give the manufacturers' legalities more time which to find a way out of the rhetorical dilemma.

Clauses in argument concern the conditions under which the phonograph record companies would be constrained from servicing radio stations, hotels, cafes and other commercial users. Manufacturers contend that acceptance of these conditions would subject them to prosecution under the Sherman Anti-Trust Act. In support of this viewpoint, the companies last week submitted to the AFM the written opinion of a New York firm which specializes such laws, Wright, Gordon, Zackery & Carlin. Recorders have assured the union that they are willing to grant it full control over the commercial use of the phonograph discs, if it can be accomplished legally. After several sessions of phrase wrestling last week, the two camps were no nearer a satisfactory solution than they were the week before.

AFM's executive board feels confident that the conflicting legal points of view can be compromised, and it is also inclined to let this ride until it has got together with the non-network affiliated stations on an agreement for the employment of musicians.

# 'SWEETHEART' CASE ENDED

Shapiro, Bernstein & Co. and the Paull-Pioneer Music Co. have settled their controversy over the renewal rights to 'Let Me Call You Sweetheart.' Under an agreement closed last week Shapiro becomes the sole selling agent for the number, with authority to clear all licenses and foreign rights for the song. 'Sweetheart' is generally recognized as one of the most valuable copyrights among old-time tunes. Besides having a high performance rating, it's still substantial sheet seller.

Max Mayer, head of Paull-Pioneer, obtained his original copyright of the song through his purchase of the Harold Rossiter catalog nine years ago. When the renewal came due Mayer was able only to get the rights of one of 'Sweetheart's' writers, the late Beth Slater Witson. Shapiro had the other half through previous deal made for the newal rights to all the compositions of the late Leo Friedman. Mayer tried to buy Shapiro's piece and out of the original parley a bitter feud developed.

Friedman copyrighted 'Sweetheart' in April, 1910, and eight months later sold it to Rossiter for an advance payment of $8,000. Mayer and Shapiro likewise share the copyright renewal right in 'Meet Me Tonight in Dreamland,' by the same writers as 'Sweetheart.'

Arrangement on 'Sweetheart' is in sharp contrast with the way such newals as 'Shine on Harvest Moon,' 'Honey Boy' and 'Take Me Out to the Ball Game' are being handled. Jerry Vogel, who got part of the rights of these tunes, is publishing 'Shine' along with Remick, and he has put his own editions of the other two songs in competition with the original copyright owners, Broadway Music Corp.

## Redman Reopens Eastward

Detroit, April 5.

Eastwook Park opens for season Saturday, April 16, with Don Redman's band in the outdoor ballroom, which has been enlarged to seat 3,000 persons. Redman will stay for two days.

Phil Skillman's band will open Cocoanut Palms nitery in the park for the second successive year.

## Chappell-Spier Deal

Chappell & Co. of London has obtained the exclusive rights to all Larry Spier, Inc., publications for England, France and Australia.

Contract is for two years. Spier is a new indie publisher, in big only sine Jan. 1.

# PLUGGERS IN UNION MOVE

Jack Rosenberg, president of Local 802, will tomorrow (Thursday) address on invitation a group of publishers' professional men who want their branch of the music business organized into a Agitation so far has failed to gain the interest of the contacteers in the higher salary brackets.

It is understood that the organizing group would like to have their unit affiliated with the American Federation of Musicians through the New York and other locals. Under craft union procedure no international may enter into such affiliation without first making an application to the American Federation of Labor.

# SAVOY BALLROOM BEATS 'COMPLAINTS'

Management of the Savoy ballroom, N. Y., will not be forced to install a 12-piece standby band, in addition to two regular crews, according to decision of local 802 (American Federation of Musicians) this week.

Harlemese element has been campaigning for Moe Gale to add other crew when he had a 'buy' in the spot. They saw unfairness to labor and curtailment of possible employment for musicians at another hall if Gale continued reduced block ticket selling to clubs, etc.

Policy of dancery has been to peddle groups chopped price ducats for resale at regular price to members at a profit to the organization.

Harlem soap-boxers thought this cut down earnings of otherwise employable crew. Gale beat rap on grounds that small clubs, parties, etc., familiar to theatres also, could not possibly afford to pay for a band and a hall for same dough they shelled at his hoof emporium.

## *Music Notes*

**Jimmy McHugh** and Harold Adamson cleffed 'It's a Dog's Life,' which Danielle Darrieux will warble in Universal's 'The Rage of Paris.'

**Peter Tinturin** and Jack Lawrence have written four numbers for Republic's 'The Man From Music Mountain.'

**Joe Reichman** signed by Warners for title role in the short, 'Pagliacci,' to be filmed after his orch completes San Francisco engagement.

**Joe Nadell** has moved into Chappell's Los Angeles office, replacing Carlo Lamont. Herb Lutz, Chicago, succeeds Nadell with the L. A. Marlo Music branch.

**Harry Warren,** Al Dubin and Johnny Mercer wrote 'Confidentially' and 'Love Is Where You Find It' for Warners 'Garden of the Moon.'

**Connie Boswell** and Bing Crosby set for some old-time blues recording for Decca.

**Sammy Cahn** and Saul Chaplin writing score for Grand Terrace, Chicago, show opening May 10. Have ready 'I'd Do It Again,' 'Whatta Ya Hear from the Mob in Scotland,' and 'I Want My Share of Love.' Pair collabed on Terrace's last hit, 'Posi

## Judge Allows Baltimore Depositions for Mayhew

Billy Mayhew, the songsmith, and Donaldson, Douglas & Gumble, Inc., music publishers, won a leg Friday (1) in the song piracy suit brought by Billy Van and Roy Masters, also song writers. N. Y. Supreme Court Justice Phillip McCook ordered depositions taken in Baltimore of witnesses, who, Mayhew contends, will vouch that he originated the hit song 'It's a Sin to Tell a Lie.'

Over dozen friends and acquaintances of Mayhew will be quizzed in the Maryland city April 18 preparatory to the trial of the plagiarism action in which the plaintiffs seek an injunction and accounting of profits made on the song since its publication in 1936.

Van and Masters (right names John Vander Weerd and Roy A. Matthiessen, respectively) claim they originated not only the music and lyrics of the sin song but also its title. Admit, however, it was not published under their ownership. Defendants claim entire tome, words, music and ly , was their own baby and that due copyright is the records.

# CANADA HEARS ABOUT MUSIC AUDITING

Montreal, April 5.

Of a total of $160,000 collected by the Canadian Performing Rights Society last year only $45,000 was retained to cover expenses in Canada with the balance of $115,000 sent to the U.S.A. and England, according to testimony taken before the Senate Banking Committee at Ottawa during hearing on the bill proposing exemption of dance halls and small hotels from payment of royalties when radio is used.

Committee was told, further, that of 47,000 writers whose works are controlled here by the CPRS only about 30 live in Canada, with these receiving a grand total of less than $100 from the Society in royalties during the past year.

Proposal that the Society compile and publish a list of works over which it claims exclusive rights was countered with the plea that such a compilation would cost over $100,000 and would be larger than all the telephone books Canada combined.

## Rockwell-O'Keefe Booking Hamid's Pier, Atlantic City

Rockwell-O'Keefe, Inc., has obtained the exclusive band booking rights to Hamid's Million Dollar Pier, Atlantic City. Initial orchestra scheduled to open under this contract June 18.

Same office will also handle all the bookings for Hunt's Ocean Pier, Wildwood, N. J.

**Frank Loesser** and Troy Sanders composed a cowboy song for Paramount's 'The Texan.'

# AFM Tabus Phonograph Network But Union Willing to Consider It

Officials of the New York Musicians union are under instruction to notify the local's members that they are prohibited from recording for phonograph discs containing advertising copy. Order has been issued pending a meeting April 22 between the executive board of the American Federation of Musicians and representatives of the National Phonographic Network, Inc., which proposes to place such commercial records in coin-operated machines.

Though the executive board went on record as being opposed to the copy-studded discs several weeks ago, it has granted the NPN's quest that it be given an opportunity to present its side of the case. Home office of the AFM conveyed the taboo order to Local 802 after it learned that the NPN was dickering for the services of name bands. The April 22 meeting had been set by the international earlier the same day (3).

Spokesman for the NPN, a subsidiary of Trans-Electra Corp., told the AFM that it had exclusive tracts for the placement of commercial phonograph records with the operators of 175,000 coin-machines. He indicated that the organization had a number of national advertis already lined up for the project.

Trans-Electra lost its initial president, George Soule, by resignation last week. Forest J. Johnston, p., will head the organization until a new president is named.

## Prof. Yvonne King

Yvonne King, blonde singer with King Sisters, vocal trio with Horace Heidt's band, has been added to teaching staff of Paramount's talent training school in N. Y.

She coaches.

# SONG PLUG VOX POPPERS FLOP

Something that happened at the Ambassador hotel's (N.Y.) main dine and dance room last week tended to indicate that the average publisher doesn't know the lyrics of his top plug number. That goes for even the chorus.

Room in the Ambassador has developed into a Monday night gathering place of music publishers. Last week Dick Gasparre, leader of the spot's band, called upon the pubs present to get up and do their own No. 1 tunes. Not one of them but failed to stumble through the words of the chorus.

# BENNY GOODMAN'S BRO. SWINGIN' IT ON OWN

Dance biz is about to see a family feud with a Goodman vs. Goodman when Benny's brother, Freddy, preems his own orchestra, now formulating.

Newcomer maestro was formerly trumpeter with Benny's crew and quit a couple of weeks ago. Departure was somewhat unnoticed, like passing of Gene Krupa, drummer, also soloing on the rostrum now.

## MORRIS' RESPITE

**Quickie to Florida for Bounce-Back From N. Y. Plugger Rounds**

Edwi H. Morris, gen mgr. of Warner Bros. music combine, flew to Florida last Friday (1) with his professional head, Rocco Vocco. They are due back tomorrow (Thursday). Departure was sudden, with Morris seeking to recover from an intensive round of night-life which had been prompted by a desire to get acquainted with his contacteers' plugs-sources. In Florida he hoped to catch up with both sleep and his stomach.

Another Florida emigre last week was Louis Bernstein, head of Shapiro, Bernstein & Co. Bernstein, who is due back Monday (11), went off to recover from some tiffs over copyright renewals.

# Postal's Greetings Sans Special Permish Of Copyright Owner

Message yodeling division of Postal Telegraph won't do anything from the score of 'Snow White and the Seven Dwarfs' because the tunes are on the restricted list, which necessitate giving credit to the picture at the end of the message. Postal getting its permission for song uses direct from the copyright owners. While the transmission of tune messages telephone wire is regarded as coming within the purview of performing rights, the American Society of Composers, Authors and Publishers has elected to let the individual copyright owners give licensing permission.

Postal's crooning division also stayed, by company orders, from transmitting paraphrases, parodies, of copyrighted numbers, this requires special permission from the copyright owners. Still the No. 1 tune by message senders 'Happy Birthday to You.'

# N. Y. PAR CONTINUES AUDIENCE BAND POLL

Starting Easter week the Paramount, N. Y., tees off on its third band poll, with patrons asked to name favorite orchestra. In addition to arousing interest bands, the balloting gives the management of the theatre as well as the booking department a slant on who are the public choices and to what extent.

Last year Guy Lombardo came out on top, getting the trophy which the theatre presents. Prior year (1936), when the band poll thing was started, the three top bands were awarded trophies. One of those that year also was Lombardo.

## Harry Warren, Jr., Dies

Hollywood, April 5.

Harry Warren, Jr., 16, of the songwriter, died of double pneumonia in the Cedars of Lebanon hospital last Saturday (2). The boy had entered the hospital a case of influenza and appeared to be on the way to recovery when he suddenly suffered relapse. He was under an oxygen tent at the time of his death.

Besides his father and mother, a sister, Joa , 12, survives.

# Shuberts' ASCAP Tactics

## Legit Producers' Suits Against Warners Regarded as Vague—Involved Status

Warner Bros. declares that not in a single one of the 23 units which April Productions, Inc., Shubert subsid, has filed against it in the N. Y. supreme court is there any reference to the performance of one of the April scores on the air. WB terms the batch of Shubert complaints as constituting nothing but blanket and vague obligations.

Impression in the music business is that the Shuberts have instituted these suits as part of their campaign to get April Productions, repository of a mass of operetta scores, into the American Society of Composers, Authors and Publishers. Latter's directors are understood to be firmly opposed to any such admission on the ground that the Society's bylaws only provide for the membership of publishers and writers and that April Productions cannot be considered to come within either of these classifications.

Most of the scores involved in the litigation were written by Sigmund Romberg. The Shuberts claim that the contract which gave them the complete ownership of the scores were signatured by Romberg before he became a member of ASCAP and that the latter is barred from including such works the small rights which Romberg conveyed to the Society when he became member. Romberg himself says that he cannot find the contract in question.

ASCAP's general counsel is tending that even if the American Society doesn't control the rights through Romberg's local membership the works still come within its jurisdiction because of ASCAP's alliance with A. K. M., the Austrian performing rights society, of which Romberg was a member before he came to America.

# Toss Out Indictment Based on Booker's Delivery of Substitute Orchestra

St. Louis, April.

Federal indictment charging Mack McConkey of Kansas City, who formerly operated an orchestra booking agency here, with using the mails to defraud, was dismissed and ordered stricken from the records last week by United States District Judge John Caskie Collet at the request of Assistant District Attorney Henry G. Morris.

Indictment charged that in 1936 McConkey made a contract with the promoters of the Kentucky Mountain Laurel Festival at Pineville, Ky., to furnish Mauri Sherman's Chicago orchestra to play at the festival. Sherman's tooters failed to appear on the specified day, and another band which was sent in its stead proved unacceptable to the Kentuckians, who had given $250 of the $500 contract price to McConkey as an advance payment. Complaint to the Federal authorities followed.

Morris told the court that a subsequent investigation indicated McConkey had not intended to defraud the Kentucky promoters. McConkey, who moved to Kansas City after the indictment, was returned here, and was on bonds pending the trial of the case.

## Quits N. O. Post

New Orleans, April 5.

Alfred Wellborn, chairman of the amusement committee of the City Park Board, quit his post Saturday (2) after selection of Michael Cupero's band to present the summer concert series in the park. Harry Mendelson's band had presented the concerts for the past 10 years.

Maurice Dufour was named by Felix J. Dreyfus, president of the park board, to succeed Mr. Wellborn.

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**Mart Kenney,** enroute to Toronto's Royal York Hotel from Vancouver's Hotel Vancouver, will play one night stand in Regina, Sask., where he started out years ago. Will play for Kinsmen club benefit dance April 17 at Trianon ballroom.

## Local B. M. G.

San Francisco, April 5.

Bob Gray, San Mateo Junior College student, won $50 from Roger Pryor a collegiate contest at the St. Francis hotel ballroom.

Next day he (1) was booked by the Music Corp. of America in the morning, (2) was signed for KSFO's My Secret Ambition at noon, (3) was signed by Henry King in the afternoon for future appearances with King's band when they go east.

# MCA MAY DEFER GUARDS BOOKING TO WM. MORRIS

With Music Corp. of America now lukewarm on deal to bring over the Coldstream Guards band from London, the William Morris office looms as possible auspices of King's own men here. Deal involves a cash outlay of about $20,000 for transportation of the 60 men and a guarantee of two weeks salary, which item has MCA wary.

American Federation of Musicians has already okayed the idea of importing foreigners, tentatively set for arrival around Oct. 15. Goodwill idea is believed to have prompted decision, which holds as long as group does not compete with U. S. musicians in theatres and limit themselves to auditoriums, armories, concert engagements, etc.

### Ramona's Band

Ramona, formerly Paul Whiteman's girl pianist, is organizing a band which she will head for Music Corp. of America.

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**Don Redman's** band opens Eastwood Park, Detroit, April 16-17, following which he'll play a one-nighter at the Graystone ballroom, Detroit.

Feist presents

WHO ARE WE TO SAY
SHADOWS ON THE MOON
MARIACHIE
GIRL OF THE GOLDEN WEST
*By Sigmund Romberg and Gus Kahn*
*From the MGM picture "The Girl of the Golden West"*

*The Sensational Mexican Waltz Song*
TI-PI-TIN
*Music and Spanish Lyric by Maria Grev*
*English Lyric by Raymond Leveen*

ALWAYS AND ALWAYS
*By Bob Wright, Chet Forrest and Edward Ward*
*From the MGM picture "Mannequin"*

THE ONE I LOVE
MELODY FARM
*By Gus Kahn, B. Kaper and W. Jurmann*
*From the MGM picture "Everybody Sing*

AN OLD STRAW HAT
*By Mack Gordon and Harry Revel*
*From the 20th Century-Fox Picture*
*"Rebecca of Sunnybrook Farm"*

*The Top Novelty Tune*
JOSEPHINE
*By Gus Kahn, Wayne King and Burke Bivens*

Leo Feist inc.
1629 BROADWAY • NEW YORK

# Breakdown of Network Plugs, 8 A. M. to 1 A. M.

*Following is an analysis of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (March 28-April 3). Grand total represents accumulated performances on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. 'Commercials' refers to all types plugs on sponsored programs. In 'Source' column, * denotes film song, † legit tunes, and 'pop' speaks for itself.*

| Title | Publisher | Source | Grand Total | Commercials | Vocals |
|---|---|---|---|---|---|
| Ti-Pi-Tin | Feist | Pop | 56 | 15 | 45 |
| You're An Education | Remick | Pop | 53 | 16 | 36 |
| Please Be Kind | Harms | Pop | 45 | 5 | 38 |
| How'd You Like to Love Me? | Famous | *College Swing | 40 | 6 | 33 |
| I Can Dream, Can't I? | Marlo | †Right This Wey | 40 | 10 | 28 |
| It's Wonderful | Robbins | Pop | 36 | 9 | 27 |
| Heigh-Ho | Berlin | *Snow White | 34 | 10 | 26 |
| Love Walked In | Chappell | *Goldwyn Follies | 34 | 6 | 20 |
| Dipsy Doodle | Lincoln | Pop | 34 | 7 | 14 |
| Thanks for the Memory | Paramount | *Big Broadcast | 33 | 7 | 25 |
| In My Little Red Book | Marks | Pop | 33 | 2 | 15 |
| I Fall in Love with You Every Day | Famous | *College Swing | 31 | 3 | 17 |
| Let's Sail to Dreamland | Spier | Pop | 29 | 0 | 21 |
| At a Perfume Counter | Donaldson | †Casa Manana Revue | 29 | 1 | 19 |
| Whistle While You Work | Berlin | *Snow White | 29 | 8 | 15 |
| Sunday in the Park | Mills | †Pins and Needles | 29 | 6 | 8 |
| On the Sentimental Side | Select | *Dr. Rhythm | 28 | 6 | 20 |
| Two Bouquets | Shapiro | Pop | 26 | 2 | 18 |
| I Simply Adore You | Ager-Yellen | Pop | 26 | 1 | 16 |
| Cry, Baby, Cry | Shapiro | Pop | 24 | 2 | 17 |
| Always and Always | Feist | *Mannequin | 23 | 2 | 12 |
| Good Night, Angel | Berlin | *Radio City Revels | 23 | 4 | 11 |
| Toy Trumpet | Circle | *Rebecca of Sunnybrook Farm | 23 | 4 | 2 |
| I See Your Face Before Me | Crawford | †Between the Devil | 22 | 5 | 18 |
| Sweet as a Song | Robbins | *Sally, Irene and Mary | 22 | 5 | 16 |
| I Was Doing All Right | Chappell | *Goldwyn Follies | 22 | 2 | 16 |
| I Double Dare You | Shapiro | Pop | 22 | 5 | 16 |
| More Than Ever | Miller | Pop | 22 | 3 | 11 |
| Bewildered | Miller | Pop | 21 | 1 | 14 |
| Moon of Manakoora | Kalmar-Ruby | *Hurricane | 21 | 8 | 13 |
| You Couldn't Be Cuter | Chappell | *Joy of Living | 21 | 4 | 13 |
| It's Easier Said Than Done | Olman | Pop | 21 | 6 | 10 |
| I Love to Whistle | Robbins | *Mad About Music | 20 | 5 | 11 |
| In Shade of the New Apple Tree | Chappell | †Hooray for What | 19 | 4 | 13 |
| Two Shadows | Witmark | *Two Shadows | 19 | 0 | 11 |
| You Went to My Head | ABC | Pop | 19 | 1 | 6 |
| One Song | Berlin | *Snow White | 18 | 4 | 16 |
| Where Have We Met Before? | Robbins | Pop | 18 | 3 | 13 |
| Garden in Granada | Southern | Pop | 17 | 1 | 10 |
| Just a Simple Melody | Witmark | *Script Girl | 17 | 3 | 9 |
| I Live the Life I Love | Words-Music | †Fifty-Fifty | 17 | 1 | 8 |
| Hometown | Crawford | Pop | 16 | 1 | 10 |
| Gypsy in My Soul | Words-Music | †Fifty-Fifty | 16 | 3 | 7 |
| Three Blind Mice | Tenney | Pop | 16 | 5 | 5 |
| Good Night, Sweet Dreams | Shapiro | Pop | 15 | 1 | 8 |
| Love Is Here to Stay | Chappell | *Goldwyn Follies | 15 | 4 | 6 |
| How Can You Forget? | Harms | *Fools for Scandal | 14 | 0 | 9 |
| Swingin' in the Corn | Berlin | *Radio City Revels | 14 | 3 | 8 |
| Don't Be That Way | Robbins | Pop | 14 | 0 | 3 |
| Jezebel | Remick | *Jezebel | 13 | 3 | 10 |
| Lost and Found | Santly-Joy | Pop | 13 | 1 | 10 |
| The One I Love | Feist | *Everybody Sing | 13 | 2 | 9 |
| Outside of Paradise | Select | *Outside of Paradise | 13 | 1 | 9 |
| Who Are We to Say? | Feist | *Girl of Golden West | 13 | 3 | 8 |
| Mama, That Moon Is Here Again | Paramount | *Big Broadcast | 13 | 2 | 8 |
| Something Tells Me | Witmark | Pop | 13 | 4 | 6 |
| On the Sunny Side of Rockies | Hollywood | *Roll Along, Cowboy | 13 | 2 | 6 |
| Ten Pretty Girls | Crawford | Pop | 13 | 2 | 6 |
| Taboo | Southern | Pop | 13 | 0 | 1 |
| Old Apple Tree | Witmark | *Swing Your Lady | 12 | 5 | 13 |
| My Heart Is Taking Lessons | Select | *Dr. Rhythm | 12 | 2 | 10 |
| Romance in the Dark | Paramount | *Romance in the Dark | 12 | 2 | 7 |
| Rosalie | Chappell | *Rosalie | 12 | 1 | 3 |
| Somebody's Thinking of You Tonight | Schuster-Miller | Pop | 11 | 1 | 7 |
| Shack in Back of the Hills | Morris | Pop | 11 | 0 | 7 |
| In the Still of the Night | Chappell | *Rosalie | 11 | 0 | 4 |
| Shadows on the Moon | Feist | *Girl of Golden West | 10 | 1 | 8 |
| I Can't Face the Music | Remick | Pop | 10 | 1 | 7 |
| Coffee and Kisses | Paramount | *Her Jungle Love | 10 | 0 | 7 |
| Loch Lomond | Robbins | Pop | 10 | 5 | 6 |
| Just Let Me Look at You | Chappell | *Joy of Living | 10 | 1 | 6 |
| Stop and Reconsider | Lincoln | Pop | 10 | 1 | 3 |
| Sissy | Witmark | Pop | 10 | 1 | 2 |
| Oooh Boom | Santly-Joy | Pop | 9 | 2 | 8 |
| Nice Work If You Can Get It | Chappell | *Damsel in Distress | 9 | 3 | 6 |
| Joseph, Joseph | Harms | Pop | 9 | 3 | 5 |
| Tonight We Love | Famous | *Romance in the Dark | 9 | 2 | 5 |
| You'd Better Change Your Tune | Ager-Yellen | Pop | 9 | 0 | 5 |
| There's a Goldmine in the Sky | Berlin | Pop | 9 | 3 | 4 |
| Let Me Whisper | Chappell | Pop | 9 | 0 | 4 |
| Down with Love | Chappell | †Hooray for What | 8 | 3 | 6 |
| Lovelight in the Starlight | Paramount | *Her Jungle Love | 8 | 1 | 6 |
| At Your Beck and Call | ABC | Pop | 8 | 0 | 6 |
| If Dreams Come True | Exclusive | Pop | 8 | 1 | 5 |
| Some Day My Prince Will Come | Berlin | *Snow White | 8 | 2 | 4 |
| There's a Boy in Harlem | Harms | *Fools for Scandal | 8 | 1 | 2 |
| Romance in the Rain | Red Star | *Harlem on the Prairie | 8 | 1 | 2 |
| Azure | Mills | Pop | 8 | 0 | 2 |

# ST. LOO ASKS 15G RENT OF SYMPH; ULTIMATUM

St. Louis, April 5.

Board of Estimate and Apportionment last week indicated that dickering between the city and the St. Louis Symphony Assn. rental reduction for the opera house in the Municipal Auditorium at an end. Assuming a take it or leave it attitude, the Board decided that the 1938-39 symph rental cost would be $15,000, the same as it has been for the last several

The Board had previously proposed that the Symph sign a tract for three years' occupancy of the building, with the rental cut to $10,000 for the first year and then going to $15,000 for the next two. The Symph Assn. asked for year's contract at $10,000 with no further commitments.

Because of expense and preference to straight orchestral concerts, or concerts with soloists, the symphony chorus of 200 voices will be discontinued. Arthur J. Gaines, manager of the Symphony, said the maintenance of the chorus and the hiring of vocal soloists amounted to nearly $8,000 per year and the returns were not commensurate with the expenditure. The as usual, finished in the red, although $100,000 was obtained drive to erase deficit.

## Name Won't Fit Headline; He's Broadcasting for NBC

Minneapolis, April 5.

Dimitri Mitropoulos, conductor of Minneapolis Symphony orchestra, set to conduct the NBC symphony orchestra in New York over a nationwide hookup May 28.

He also will conduct at the Venice music festival Sept. 5.

# MET WANTS 'CYRANO,' SEEKS DAMROSCH AID

Met Opera has approached Dr. Walter Damrosch to produce his opera, 'Cyrano de Berger ,' in New York next season. Contingent on the proposal is whether the composer can cut it and whip it up to satisfaction.

Opera, which Dr. Damrosch scored on an adaptation of the poetic play by Rostand, was put on about 20 years ago by the Met for several performances. Met plans to use Lawrence Tibbett in the titular lead if production plans eventuate.

### Condemn Concert Spot

Buffalo, April 5.

Elmwood Music Hall, Buffalo concert spot for the past 20 years, has been condemned because of a defective roof.

# N. Y. CONCERTS O. K.; BOSTON ORCH 12G

Despite the lateness of the season, concert grosses in New York continued on the upbeat during the past week. Joining in the take were the Boston Symphony, the Philharmonic-Symph and Marian Anderson, Negro contralto.

### Estimates for Last Week

**Boston Symph. Orch,** Carnegie Hall (2,760; $3.50-$1.50). Two concerts, Thursday night (31) and Saturday afternoon (2). Drew estimated $12,000; first performance was entirely subscription, second two-thirds; final appearance in New York for the season; Serge Koussevitzky conducted.

**Philharmonic-Symph,** Carnegie Hall (2,760; $3-60c). Three concerts, Wednesday evening (30), Saturday night (2), and Sunday afternoon (3) drew good $12,100. John Barbirolli conducted; Mischa Levitzki soloist for one performance.

**Marian Anderson,** Town Hall (1,476; $3-$1). Negro contralto still showing herself one of the big draws with estimated gross of $3,200 (sellout) for one performance, Wednesday night (30). There were 100 standees and 90 seated on the stage.

# VAUDE'S SUMMER DECLINE

## Office-in-Hat and Sidewalk 10%ers To Be Self-Purged by Agents' Ass'n

Various agent factions with organizational ideas will get together this week for formation of one body. Move was decided this week after meeting at office of License Commissioner Paul Moss, who starts a weeding drive this week to eliminate office-in-hatters and sidewalk bookers. Both the American Federation of Actors and the Theatre Authority will aid in the plan as will all present licensed agents, it is stated.

Clanning of the vaude and nitery agents under separate banners has been called off in favor of joining the Equity agent setup that attorney Lou Randell proposes. Louis Loomis, agent organizing nitery boys, meets with Randell this week to discuss plans for cooperation after calling off a meeting he had skedded for last Wednesday ight (30). Equity group had another conclave night of April 4 at which time a committee was appointed to attend Equity Council meeting last night (Tuesday) to seek sanction. Same group operated under Equity when it was active several years ago.

Although some are holding off pending need to step into movements in self-defense and waiting to see worthiness of joining, majority of lesser agents are taking definite stands in favor of step. Agents who missed first Moss meet will be called later.

Meeting at Moss' office last Wednesday (30) was a general pep talk and effort of Moss to line up boys on his side. The odd 60 attending, including reps of William Morris office, Loew's, etc., were assured of license renewals on May 4 when they come up. Moss made no bones about driving out chiselers and unlicensed agents stating that inspectors and possibly the police would aid in campaign about to start. Agents were asked to help clean their own house by tipping authorities on names and locations of various victims-to-be. Bond, Strand and Gaiety buildings were specifically named.

Moss will continue his attempts to license theatre circuits also, he stated. Everyone who books an act slated for investigation with no exceptions. Plans for his municipal agent control bill go on apace with hope for it seen some time in early fall. Lawyers acting as agents, and he say there are plenty, will be snagged along with the rest. Only personal reps, handling but one account, are exempt. Although beaten in court on personal rep and theatre ircuit thing, Moss states that now he has a legal battery competent to battle slick lawyers who beat his charges before. Commish is also quoted as saying he favors organized agent lobbying to create a separate bill for them to be excluded from general employment regulations.

Angles under discussion by agents that complete licensing would eliminate chiselers and consequently better their own respective businesses. Other is that if not weeded but at least all licensed and organized (there are about 500 all told around New York), they can fight body against any unfavorable legislation and other evils.

### Cleve. Agent Released On Bond in Auto Death

Cleveland, April 5.

Homer Bingham, 53, nitery booker, pleaded guilty to automobile manslaughter last week and was leased in $1,000 bond.

Agent was arrested when his car crashed, killing passenger, Marian Dana, 24, dancer. She was one of a group of entertainers Bingham was bringing back from an out-of-town booking.

### F&M SCORES TWICE

Los Angeles, April 5.

Fanchon & Marco landed the vaude contract for the Golden Fiesta in South Pasadena, May 6-7, and the 50th Jubilee in Compton, Calif., May 19-21.

Acts booked by Joe Bren and Russell Stapleton.

### MCA Staging Summer Ice Revue in H'wood

Hollywood, April 5.

Music Corp. of America will stage an carnival show at the Polar Palace here next month, continuing through the summer. It will be built along the lines of a night club revue, with the entire cast on skates.

Already signed are Shipstead and Johnson, trick skating team, with a supporting lineup of 15 girls and several figure skaters, jumpers and comedians still to be picked.

## 4 HURT IN ROW OVER CAFE BILL

New Orleans, April 5.

Four men were taken to Charity hospital early Saturday (2) a result of a fracas in the Vanity club, French Quarter night spot here.

Fight developed over bill, according to the gendarmes, complicated by the presence of two women next to two of the participants. Bartender charged the men for the drinks of the two women. The men said the femmes weren't with them, but the bartender differed.

Stabbed were Albert Manzella, 20, cashier at the Vanity club, and Sal Calderaro. Beaten were Douglas H. Gibson and Courtney Wilkinson, Mississippi visitors. Fight started at 2:45 a.m. When police arrived in answer to a radio call they found the free-for-all at its height.

Gibson and Wilkinson were charged with disturbing the peace. All were later released from the hospital.

### 'Snow White' of Screen Set at Chi Nitery

Chicago, April 5.

Adrienne Casalotti, the voice of 'Snow White,' here for a date at the College Inn.

Came in from New York, where she made a brief ether appearance. Booked here by Music Corp. of America.

### Jeanette Garrettee Joins Heidt's Orch as Dancer

Jeanette Garrettee, daughter of advance man for Maurice Evans, is crashing into show biz as a dancer. Discovered by Horace Heidt, and has been added to his array of entertainers at Bowman Room, Hotel Biltmore, N. Y., where she does tap number.

George Yantos and Agnes Code, shag steppers, also have been added to Heidt crew.

### Stooges' London Dates

Vaude deal being worked out for the Three Stooges (Howard, Fine and Howard) to go England this summer. Palladium in London will be one of the sites played.

Harry Foster, London agent, is backing for Curtis & Allen, N.Y. Stooges currently on the Coast making shorts for Columbia.

### UNDULY SUSPICIOUS

**'China Parade' Avers It's Not Propagandistic**

All-Chinese unit, produced by Harry Rogers and Charley Levison, has experienced considerable wicket resistance on its current midwestern tour owing to public's impression that the unit is a propaganda play in disguise. Unit has already had two titles, 'Young China on Parade' and 'Chinese Follies.'

Former tag was particularly suspected.

## BOOKINGS SEEN HALVED BY JUNE

### Biggies to Continue on Present Scale with Smallies Reverting to Straight Films During Hot Months

### BOWES' AMS THROUGH

Prospectiv vaude for coming summer doesn't differ from that available during the last several seasons. The big-burg stands will continue generally, and the small-town split-weekers will revert to straight films. Which means that by June there will be halved what play-dates there are at present.

RKO will have Palace, Chicago; RKO Boston, and Palace, Cleveland, bridging the warm months. Memorial, Boston, is unlikely; Schenectady will lose its split-week, and Cincinnati a full-week, both now being on regular basis. Occasional splitters due to drop are Columbus and Dayton.

Loew will drop Evansville and its spots in small New England towns, which have been showing occasional stage shows. Regulars continuing through summer will be the usual, Stanley, Pittsburgh (shared with Warner's on a booking and operating pool); Capitol, Washington, and the State, N. Y.

Paramount will continue with its Broadway house, as well as the Michigan, Detroit; Chicago, Chicago; Oriental, Chicago. Interstate circuit in the southwest will cease playing occasionals; ditto New Haven and sundry other small spots, whose chief, and irregular diet this winter and spring has been Major Bowes' troupes.

Warner's will hold on to its pair of Earles, in Philadelphia and Washington. York and Reading, Pa., are out.

Among the indies which will stick are the two in Baltimore, Izzy Rappaport's full-week Hippodrome and Frank Durkee's split-week State. Also, Dave Idzal's Fox, Detroit, and two Philly spots, Carmen and Fay's. Lyric, Indianapolis, looks pretty certain to span summer.

Fadeouts will be Palace, Stamford; State, Hartford; Orpheum, Memphis; Princess, Nashville; Tower, Kansas City; Circle, Indianapolis; Paramount, Newark; Strand and Folly, Brooklyn. Four spots, which have been going with units, Orpheum, Omaha; Capitol, Atlanta; Roxy, Salt Lake City; Colonial, Alliance, O., will also go straight film.

Other eastern spots of smaller caliber, which will drop out, are Camden, Pitman, N. J.; Paterson and Mt. Ephraim, N. Y., and Lancaster, Pa. Rajah, Reading, and State, Easton, Pa., occasional weekenders are also headed for certain straight-flick policies during the hot period.

Last two years units were plentiful and hogged almost a bulk of the dates during spring and summer through the hinterland. But few, relatively, have trouped this season and less than half dozen are still on, or available for the boards. Bowes amateur cycle has burned out, even in the far reaches of the southwest and northwest and it looks darkly doubtful if any of the aggregations will still be going by June. And there just won't be, on present indications, other units.

### Mosque's Vaudfilm

Newark, April 5.

Mosque theatre has been taken over by Columbia Theatre, Inc., of Philadelphia, A. M. Ellis, prez, on reported four week trial vaudfilm policy. New operators are to take possession April 17.

Takeover will not affect theatre's previous commitments under lease of Prudential Insurance Co. Bach Mass and Essex County opera company, which Ralph Errolle is presenting, conjunction with Federal Music Project, will go on as skedded.

## N. Y. State Vaudeville Agents Buck Interstate Labor Laws on Permits; Steer Clear of Legislation on Control

New York's vaudeville agents are resorting to borderline legal outs to beat unfriendly employment laws of other states. Outlying states, however, which have been made agent-conscious through activity in the Empire State and in Pennsylvania, are beginning to enforce their formerly dormant agent statutes. This has made agents law conscious and they are now more alert to legal agent control, problem they have long neglected. It's prompting concerted action and organizational attempts among percenters.

Regulation the boys are meeting with devices is the forced licensing. Dealing through locally licensed agent is one of the outs. Since in majority of states producers are not required to be licensed, they pose as such deal through local producer.

Agents feel that they would be forced to shutter if obliged to pay the usual $25 licensing fee in every state in which they do business. Although all have employment laws, not all are enforced at present but this is not expected to remain for long. Large amounts of publicity given agent control and agitation for law enforcement is looked upon as prompter.

States with enforced laws, in which New Yorkers are now operating q.t., are Illinois, Ohio, Pennsylvania, Michigan, Massachusetts and Maryland. Booking is done here actually but covered. New Jersey is also becoming conscious of theatricals, an added and near-to-home threat. Agent control activity in Albany, and now locally through Paul Moss, license commissioner, is an added headache.

Agents are not only dealing through out-of-towners to buck laws but are also through local offices of big outfits since they are geographically handicapped. All of which makes the present type of agent little more than a remote control artist.

### Nat Pendleton Offered East Vaude for $2,500

Nat Pendleton being offered eastern vaudfilmers in a two-act with a stooge at $2,500 a week. Film actor has never been in vaude.

Ad Schulberg and Sam Jaffe agency Coast offering through the Curtis & Allen office in New York.

## THE PARADISE'S $83 NET PROFIT

Paradise Catering Corp., operator of the Paradise Restaurant, N. Y., which recently filed a petition to reorganize under 77B of the Bankruptcy Act, had a net profit of $83.12 for the week of Feb. 22-Feb. 28, cording to the report filed by the corporation's attorney, J. Arthur Adler, in N. Y. federal court. Report was made under the direction of Judge Robert P. Patterson when he signed the order permitting the former management to temporarily continue in charge of the nitery.

Report states that income for the week amounted to $6,049.13. Overhead was $5,966.01, leaving the net profit at $83.12.

### Ed Garr's 'Clowning' May Nip Him for 35G In 10% Suit by Psychic

Eddi Garr, comedian, claimed he was 'clowning' when he half-heartedly agreed to make Tala Lefurrat, star-gazer and lucky-number prognosticator, his manager and agent on the usual 10% basis and then advised her not to 'bank on it,' cording to his testimony given yesterday (Tuesday) in an examination before trial of the breach suit brought against him by Miss Lefurrat. Plaintiff suing Garr in N. Y. supreme court for $35,000, which she estimate as her bit of the impersonator's earnings since April, 1929.

Miss Lefurrat claims she advised Garr in 1929 on the course he should pursue in his efforts to obtain success the entertainment world. This was after she had read his future both in the stars and also advised him on hi lucky numbers (3-6-9-12).

He was so grateful, she he promised to make he his agent if her predictions proved true. She claims they did. Yesterday, Garr denied entering into any contract or agreement with the plaintiff or that on her advice he had changed his original name of Eddie Gonnoud to his present cognomen.

### Steel Pier, A. C., Contracts Goodman, Kaye, Lombardo

Steel Pier, Atlantic City, has set its band lineup for Memorial Day weekend (May 28-29-30), which includes Benny Goodman, Sammy Kaye and Guy Lombardo.

Accompanying stage-show not yet booked. Mae West sought to head the layout. Eddie Sherman booking.

### Sylvia Froos' Vaude

Sylvia Froos out of WOR, N.Y., for week of April 15 at Loew's Capitol, Washington, D. C. Netting $800.

Henry Frankel, of the station's artist bureau, is seeking time on WOL, Washington, outlet on the Mutual net, for pickup of singer's sustaining shots.

## VELOZ-YOLANDA TO BOW IN CONCERT APRIL 23

Veloz and Yolanda, dancers, who just closed at the Hotel Plaza's Persian Room, N.Y., do their first concert for S. Hurok at Carnegie Hall, N.Y., April 23. Pancho's orchestra will assist the two to stage the entire evening's divertissement. Paul Draper succeeded them April 1 at the nitery.

V&Y are set for the Palmer House, Chicago, June 21 through Sept. 10. In between they have some dates at the Mark Hopkins hotel, San Francisco, which they'll probably forego as their two horses, Veyo and Veyolanda, will be racing in New York around that time.

### Houltain, Drenkler Set For Ice Show in London

Vic Houltain and Alfred Drenkler, ice skaters, sail for London end of this month to open in ice show June 3 in Blackpool, London suburb.

Bill Burton, of Rockwell-O'Keefe Agency, set the deal. Pair now touring U. S. after playing ice carnival at Madison Sq. Garden, N. Y. recently.

### NTG's B'way Eatery

Nils T. Granlund is planning to open a Swedish eatery on Broadway next autumn, it's been reported from Chicago, where the showman is appearing at the Congress Casino. Pending completion of the plan, NTG is holding up the final okay on a six-week offer from the Palm Beach Casino, in Cannes, scheduled to start Aug. 17.

From Cannes the showman's troupe would play Paris and London. At present set for four more weeks at the Congress over his original four-week deal

# NEW ACTS

**WALTER (MOUSE) POWELL (2)**
**Comedy, Songs**
**12 Mins.**
**Fay's, Providence**

Act has possibilities, opens effectively but left hanging in midair at the close. May be built up by cutting down the comedy, now too slapsticky, and emphasizing the musical talent.

Opens with Powell and his neon-lighted slide trombone a striking musical number. Thelma Lee fills nicely with a song and then accompanies Irving Jaffa, the stooge, in bird imitations on the violin. Well received. Powell then switches to combination comedy and imitations with trombone. Gets nice acclaim for easy handling. He works too hard for slapstick ending, which leaves customers expecting more of the musical talent. Overworked stooge gag overshadows high class vaude promise. *Marc.*

**MURIEL WELCH**
**Pianologist**
**La Marquise, New York**

Muriel Welch is ostensibly a filler-inner, with her piano soloes and pop choruses, but what distinguishes her is that she makes her vamp-till-ready spot more than casually important. Instead of merely strumming the keyboard she's a personality at the peripetetic piano, and has an ingratiating manner of doing what might be called 'sitdown dancing.' That is, if playing tango tune, she visually goes through the terp tempos, etc.

An exceptional black-and-white whipper, she's personally engaging and has a nice vocal style to boot. *Abel.*

**HOPE EMERSON**
**Pianologist**
**5 Mins.**
**Le Ruban Bleu, New York**

Hope Emerson is an Amazonian type pianologist with an ingratiating manner of self-joshing, informal mugging and socko material which makes her a cinch for the class environment of Le Ruban Bleu, new smart spot of the town. Room is an intime drawing-room and Miss Emerson's lyrics are made-to-order for the atmosphere.

Either Miss Emerson has been around or she's a natural trouper. Her impression augurs well for similar society cafe bookings, plus private party work. *Abel.*

**EDDIE THOMAS**
**Songs, M. C.**
**Frank Palumbo's, Philadelphia.**

Eddie Thomas is a plump lad of medium height, with a hefty and pleasing baritone voice, good-humored manner and strong personality. He sings semi-pop ballads. On the show caught (2) he offered 'Shorteni Bread,' 'Stout-Hearted Men' and 'The Singing Marine'—and usually leaves the choice to the audience. Good enunciation and sells a song well.

Thomas has an effortless style and (at least in the free-and-easy atmosphere of Palumbo's) he quickly adapts himself to surroundings. Not the least of his assets is an ingratiating smile, which isn't of the prop variety. He gives every appearance of enjoying his job. Uses a microphone well.

Thomas seems doubtful as a picture bet and his build might be a handicap for musical comedy, but he looks like prospect for any informal nitery room. *Hobe.*

**RUBY BENNETT**
**'Black and White'**
**8 Mins.**
**Little Rathskeller, Philly.**

Ancient in its idea, this one is entirely new in its frankness. Gal, with right side all in black and dressed in topper and tails, and left side au naturel and covered only by bra and panties, does a turn that's one of the frankest to have escaped the censorial axe this burg. It's nevertheless—or probably as a result—universal subject in town for gossip, and has been drawing mobs for eight weeks into a subway nitery in Philly.

To the accompaniment of soft music, and bathed in a bright spot in the otherwise darkened house, femme goes from A to Z through a pash process. It's all started by bringing her blackened right hand around on the white left side of her body.

Bennett gal so skillful in the entire turn that the realization that this is but one person is lost almost immediately and a solid illusion is built up that here are two people. It's an 'act' only for the barrelhouse trade. *Herb.*

**16 DANCING DEBUTANTES**
**Strand, Brooklyn**

This act is right up anybody's alley and a good bet for spots using vaude or stage presentations without a house line. Gals are all lookers and impress as being well trained and schooled in various routines. Could also be used as a unit for niteries. Costumes are eye-catching without being flashy.

Act is molded along the lines of the Roxyettes, etc. When caught they did military, soft shoe and precision stuff with near-perfect unison. They work all through the show.

**MARLYNN and MICHAEL**
**Dances**
**6 Mins.**
**Rainbow Grill, New York**

Nice looking pair of ballroomologists whose prime asset is their personal charm.

Their exhibition terps are standard. No particular socko, although bespeaking promise to step up above the average groove. *Abel.*

Bell's Hawaiian Follies

April 6—Orpheum, Hannibal, Mo.
April 7—Uptown, Columbia, Mo.
April 8 to 14—RKO Mainstreet, Kansas City, Mo.

Mgt. BOB HICKS PAGE
314-21st Avenue
ALTOONA, PA.

## Nitery Placements

Hildegarde, Versailles, N. Y.
Steve Evans, Walton Roof, Philadelphia.
Jack Laurie, Little Old New York, N. Y.
Harold Leonard, La Marquise, N. Y.
Beauvell and Tova, Hotel Ambassador, N. Y.
Doris Reed, Le Mirage, N. Y.
Dolores, Le Mirage, N. Y.

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### Just a Memory

National Variety Artists, one of vaude's last vestiges, invited a competitor into its parlor at a party given at its New York clubhouse last week.

The oblivious trespasser was a bingo game, ordinarily considered vaude's enemy No. 1.

## POLICE TONE DOWN RISQUE BUFF SHOWS

Buffalo, April 5.

Rigorous police supervision has resulted in a tonedown of stage and floor shows at Buffalo taverns and restaurants this week.

Police Commissioner McClellan, in announcing the cleanup, also stated that numerous complaints regarding a 'certain downtown theatre operator' had resulted promise to sapolio his shows.

Police vice squad is making frequent checkups of night clubs with a view to ascertaining whether a recent ABC board order against risque shows is being obeyed.

## Pickman, MCA Part

Milt Pickman is out of Music Corp. of America on the Coast. He's Ted Lewis' personal manager.

Lewis most likely will leave MCA for other booking auspices, probably the Morris office.

## • 15 YEARS AGO •

*(From VARIETY and Clipper)*

Metropolitan opera house had enjoyed an unusual business in the season just closing. Receipts averaged $75,000 a week.

Coffee and cake circuits cutting coin to average $1 per person per day. Had been paying about twice that.

Mineralava, cosmetic, bankrolling Rudolph Valentino's dance tour. Had three advertising crews in advance. Still wasn't breaking the nut.

Ringling Bros., Barnum-Bailey opened at the Garden March 24. Too much stress on animal acts, which were in their third season. Mabel Stark headed the trainer contingent.

Planned to broadcast the premier of 'As You Like It' in N. Y.

May Yohe trying a vaude comeback fronting a 10-piece jazz band at the Colonial. Ray Huling and his seal giving N. Y. a look on the same bill. They liked the seal.

Minor act used the loudspeaker for a novelty. Singer concealed and the voice coming from a single outlet at a time, shifting all over the house.

N. V. A. basket passing in all vaude houses. Replaced the former custom of giving the gross of the Friday matinee. Collection system materially uoped the take.

Sophie Tucker back at the N. Y. Palace with an entirely new repertory of songs, but still the same old hit. Took 35 minutes for 13 songs. Last vaude week as she was going into a production.

Carl Laemmle paid $330,000 for Snow's 'Hunting Big Game in Africa.' Had turned it down, along with others, when it was first offered. J. J. McCarthy put it on at the N. Y. Lyric for 11 weeks and gave it value.

Goldwyn Pictures cutting directors in on the profits of the pictures they handled. Claimed it induced economy and resulted more careful production.

Palace, N. Y., having another - in with speculators. Turning down spec tickets at the door and plenty arguments.

Wired Wireless (Muzak) planning to spend $7,500 weekly for talent.

Paul Whiteman in London and a hit at the Hippodrome. Agencies doubled their buys after the first performance.

N. Y. musicians in former Local 310 on strike. Pulled 70 men out of the Capitol. Nick Schenck arranged a truce.

# Nitery Reviews

## SHEHERAZADE

**(PARIS)**

Paris, March 28.

*Dima Owsoff, Lebedeva Nadia Mirova, Yolanda, Nara Padlo, Paquita; Costa's band.*

Still among the tops in Paris niteries, Sheherazade is presently offering one of the best programs of its kind to be found in the wee hour haunts.

With the exception of Paquita, who clicks a castinet with two good Spanish routines, all are singers, with Dima Owsoff being the only male in the lot. Linguists seem to be in order here, nearly all warbling two or three tongues.

Yolanda, still headliner and grabber of the best returns, on the night caught, sang in French and in her native Italian. A comparative newcomer, Nara Padlo, who does a variety of well liked offerings in French, Russian and English, runs a close second.

Nadia Mirova does light opera and though a bit misplaced here, does exceedingly well. Her voice is much better than her showmanship.

Lebedeva, big blonde, is a little short on what she has to offer but catches. She sings with band and offers one duet with Owsoff, which falters. Owsoff's voice could use some leveling and his showmanship needs brushing up. But he garners well with three songs.

String band, seemingly the only type ever carried in this gender of house, is batoned by Costia. And like nearly all of this type, swing music is minus the swing but tangos and waltzes are excellent. *Hugo.*

## SHOW BOAT

**(PITTSBURGH)**

Pittsburgh, April 3.

*Al Marsico's Orch, Chick Kemble, Betty Jerome, De Henri & Georgene, 5 Palmer Girls, Wayne Vargason, Wilma Douglas.*

A breezy little show, with just enough variety to keep the 40 minutes building steadily. Betty Jerome, slick songstress who's a junior composite of Sophie Tucker and Belle Baker, is best. Gal has smart arrangements, sells them classily and clicks big. Her tops is a special of 'Bei Mir Bit Du Schoen.' She winds up with a sock chorus in Yiddish.

Chick Kemble, m. c., has a swell gift of gab, confining himself to straight announcements high-sounding words. Five Palmer Girls are eye-filling, nicely costumed with three changes, and several of them step out for specialties. Blonde Marcella Cooper, in a Hawaiian number, is outstanding of the group. De Henri and Georgene look good in two dance numbers, particularly the apache, which they satirize at the end, with the gal on the giving end. Deep bassoing of Wayne Vargason over big in 'Old Man River' and 'That's Why Darkies Are Born,' with Al Marsico's eight-piece band showily presented to sound twice as big. *Cohen.*

## Arcadia-International

**(PHILLY)**

Philadelphia, April 3.

*Buddy Rogers orch, Patti Marr, Bob Hannon, Frank Paine, Jack Douglas, Diane Denise, Daisy, the Horse, Tony Etting, Roberts' Circus, Clay Boland.*

Arcadia cooperating this week with socialite committee running benefit at the zoo for the Pennsylvania Hospital. Nitery is decorated amusingly in animal motif, and animal circus is in as part of floor show. Entrances to the seven small dining rooms, leading from Arcadia's main dining room, are decorated with papier-mache 'iron' bars. Behind them are papier-mache animals. Two huge giraffes have necks locked to form a frame around the orchestr stand, and cage of live baby animals loaned by zoo completes layout.

Show topped by Buddy Rogers' orchestra swing aggregation with flock of novelties; it's forte entertainment. Rogers is capable m.c., though he hurries his talk. Wander, who's always solid with femme trade, also does his standard turn of playing nearly all instruments in the band.

Strong spot for Frank Paine, mimic, whose Bergen-McCarthy bit is best, and good for heavy plaudits.

Nifty turn provided by Prof. Roberts' Dog and Pony Circus.' Starting with standard pony sh and following with bunch of canines, he finishes with a dozen performing birds. Best bird turn is pulled when papier-mache house, with one of the birds in it, burns. Others ring an alarm, put up a ladder, rescue the imprisoned bird and pour water the flames.

Other turns standard. Include Patti Marr, acro terper; Bob Hannon, chirper; Jack Douglas, with bewhiskered patter; Diane Denise, Frenchy warbler, good in small doses; Daisy, the Wonder Horse, usual two-guys-in-a-skin turn, with a blonde trainer, and Tony Etting, in a tiger dance.

Show considerably strengthened when caught Saturday (2) night by Clay Boland, who led orchestra and pianoed his own cleffings, 'I Live the Life I Love' and 'Gypsy in My Soul.' Also played one he wrote especially for zoo committee tabbed, 'Zoo Day.' *Herb.*

## HEARING SET FOR TRIO IN DET. CAFE GAMBLING

Detroit, April 5.

Max Silk, operator of the Ten-Forty Club, and two employees face examination Friday (8) on gambling charges resulting from a police raid on the nitery last week. Besides the possibility of a sentence for allowing gambling, Silk's spot faces loss of its liquor license.

Police, in one of their periodic visits to the nitery, seized gambling equipment and arrested, besides Silk, Sam Newman, bartender, and Rex Richards, alleged gambling machine operator. All three are out on $500 bond.

## Soph-Howards-Whiteman May Go Marden's Riviera

Sophie Tucker, Willie and Eugene Howard and Paul Whiteman's band may be the three-ply attractions at Ben Marden's Riviera, Englewood, N. J., when it opens May 12 or 19, depending on the weather. William Morris agency is currently lining up the show.

Meantime, the Howards go into the Walton Roof, Philadelphia, April 21, to succeed Fred Keating and Belle Baker.

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# MOSS GIVES OK TO OPEN N. Y. BURLEY

Triboro theatre, N. Y., formerly the Gotham, will reopen with stock burley April 16. House, taken over by Ed Rowland and Harry Brock, has been issued license by Commissioner Paul Moss for three months. Paul Kane, formerly with the Star, Brooklyn, will produce, first show being now in rehearsal. Spot is using about 15 principals and 16 line girls.

House is generally looked upon as the source of current burley woes. Citywide crackdown last year came after its license was revoked for indecent performances. At that time, its theatre license as well as burley permit was voided. It reopened last November, after being completely redecorated, with a colored vaude policy, as the West End, but quickly folded.

This is the first opening of a New York spot in over a year and brings the city's burley stands to five.

## Cleve. Shrine, Met Op Clash Again on Dates; Conflict with Ice Show

Cleveland, April 5.

Show business has become - creasingly painful for the Al Koran Shrine ever since it had to pay off heavy for six cut-rate concerts, which couldn't play because they conflicted with the Metropolitan Opera's talent and dates here.

Group's Amusement Guild and its promoter, Michael Hulnick, have tangled with the Met agai over Maribel Vinson's ice show, which was skedded to be staged three days, March 31-April 2, in civic auditorium. Herb Buckman had rented the hall to the Met for current week, starting yesterday (4). Second conflict came up when Buckman discovered it would take three days to set up inclined floor for opera seats, involving work on Miss Vinson's last day.

To avoid last-minute complications, Shrine agreed to stage the ice show in adjoining Public Music Hall, which has a 3,000-seat capacity, - stead of the 12-000-seat civic auditorium. Move turned out to be a wise one, as Miss Vinson drew only 8,500 in three days at an average of 85c per.

More trouble popped up when carpenters found ice rink didn't fit theatre's stage, causing some frantic overtime work.—Skaters were originally ready to do extra matinee, but advance sale was so low that it was canceled. What further hurt business was tough competish from Toronto-Granite Skating Club' ice revue, which was sellout at Al Sutphin's Arena on nearly the same days (2-3).

Eddy Duchin and Shep Fields orchestras, topping a radi show, the Shrine's next bill, but another band may replace Fields if he isn't recovered from his appendicitis operation by then. Although slated at outset for three days, Hulnick has cut the unit down to on night, April 24.

## Det. Nitery Must Pay City Rent for Its Land

Detroit, April 5.

Unusual situash of a nitery paying the city rent for encroachment on city property bobbed up here last week in the case of the Ambassador Club.

Nitery wanted a new vestibule to encroach five feet on city property, and common council agreed if club owners would pay $25 year rent and agree to vacate encroachment when necessary. Club owners put up a bond to insure things.

## Hirst Circuit

### Week of April 10

'Pirates of Melody'—Lyric, Allentown, Mon.-Tues.; Orpheum, Reading, Wed.

'Rambling Revels'—Howard, Boston.

'Modes and Models'—Hudson, Union City.

'Campus Festivals'—Tro , Philadelphia.

'Looks and L s'—Gayety, Washington.

## N. Y. SUPREME COURT TO TRY WB 'HOTEL' SUIT

Harry Howard's suit against Warner Bros. for an injunction and accounting Warners' film, 'Hollywood Hotel,' has been permanently remanded to the N. Y. supreme court. Defendants had attempted removal of case to the U. S. district court. Plaintiff is producer of vaude unit 'Hollywood Hotel Rev which opened in August, 1936. Trial date will be set later.

Howard's suit was instituted on grounds of the film's unfair competition. Since its release in December, 1937, plaintiff claims inability to secure bookings for stage show in theatres where film had been shown.

## Philly Cafe, Club Bookers Merge After Name Row

Philadelphia, April 5.

Merger of cabaret and club date bookers, who had been warring for past two years, was accomplished Thursday (31) after entire negotiations almost fell through in an argument over a name for the new organization.

Club agents, who called themselves the 'Contractors Assn.', wanted Contractors in the title, while cabaret bookers didn't. Cabaret bookers, on other hand, used to call themselves Licensed Agents of Pennsylvania and wanted Licensed in the tag. Compromise was finally reached on Entertainment Managers Assn. of Eastern Pennsylvania.

Officers of Contractors will - tinue as officers of the new group until November election. Florence Bernard is prez. Tony Phillips, leader of old Licensed group, is chairman of the board. Membership drive will begin at once. About 15 club bookers are in the new organization.

Two separate grievance boards will be set up at a meeting Saturday (9), one to handle complaints of each group.

## Complaint Served In $250,000 Libel Suit by NVA Vs. AFA

Summons and complaint in the National Variety Artists $250,000 libel suit against the American Federation of Labor was finally served yesterday (Tuesday).

Following service of papers on Ralph Koenigsberg, assistant to Ralph Whitehead, prez, and Charles Mosconi, treasurer, complaint was filed in county clerk's office. Defendants have 20 days in which to answer. Suit based on libelous reference to NVA in letter sent to Sally Rand when she sought permission of AFA to appear at NVA's benefit in January.

## INT'L STAGEHAND SESH SET FOR CLEVE. JUNE 6

Cleveland, April 5.

Stagehands' union voted to hold their next international convention in Cleveland the week of June 6, marking the third time the city will have had the event. Last one here was in 1924.

About 1,000 unionists from U. S. and Canada expected to attend, with representatives getting $10 per day, plus expenses. Program for six-day affair is being worked out by John Fitzgerald and Michael Finnegan, prez and business agent of stag - hands' local; Harry Holmden and Vic Wallman, prez and secretary of film projectors' union here.

### Fetchit's $25,000 Suit

Alliance, O., April 5.

Stepi Fetchit, appearing currently with his 'Harlem Nights Revue,' has been named defendant in a $25,000 damage suit by the Orpheum theatre, Memphis.

Charged that the actor failed to fulfill a contract to play there.

### Doubling Up

Philadelphia, April 5.

A new wrinkle for filling the lulls in niteries when the band is off the stand is being tried out by Art Padula, operator of the Arcadia here. Direct recording of band's nightly broadcast over CBS is made during the airing.

Record played back whenever there's a lull in the joint and no music available.

## Accordion-Playing Cleric Victorious in Fight to Ban Jam Seshes in Buff Cafes

Buffalo, April 5.

Jam sessions in Buffalo and western New York niteries have been banned by the State Liquor Authority, following attacks on the sessions by local churchmen, headed by Rev. Dr. George W. Cooke, accordion-playing pastor of the Trinity Methodist Episcopal Church here. Dr. Cooke, for some Sundays past, has been visiting spots and dispensing hand music and moral sermons to the jitterbugs.

Edict came following altercation between Dr. Cooke and police authorities in which the minister attacked the sessions, which were defended by the head of the Juvenile Crime Prevention Bureau of the department. The cleric told the public how he had visited various spots Sunday afternoons and had replaced hot swing tunes with religious music, including 'Nearer My God to Thee,' with the permission of managements, and delivered sermons to those in attendance. Capt. William Milan, of the Juvenile Crime Prevention Bureau, stated that following visits to five Buffalo places he had been unable to find any law violations; that the dancing was artistic and not immoral and that he would not hesitate to take his wife to any of the places.

He was accompanied by patrolmen and policewomen on his inspection visits which were the result of complaints indicating that the morals of high school students were being jeopardized by the sessions. Supplemental investigations by the Buffalo police resulted in the head of the narcotic squad issuing a statement complaining of objectional portions of so-called swing songs, which had to do with reefers and other narcotics.

The State Liquor Board ruling affected 22 central and western New York counties and resulted in a wave of protests from operators, who stated that the extra sessions were their only means for profit.

## Howard Bros. to London; Would Be 1st Time Abroad

Willie and Eugene Howard have an offer from the Palladium, London, to go over for a four-week minimum stretch early in the summer.

Though the comedians have been in show biz nearly 30 years, they have never played abroad.

## Saranac Lake

**By Happy Benway**

Russ Kelly, 54, has the mumps.

Nearly everything new at the local Pontiac theatre here. Manager A. B. Anderson is even sporting new tux.

Death of Albert 'Sonny' Foster was a blow here. He was the pioneer in bringing flesh shows up here and maintained a year around orchestra at the Alpine Tavern.

Over 1,000 music sheets were sent here to the Actors' Colony by Jacob Bernstein, Rochester, N.Y. Thanks.

Jean Grande, Marie Bianchi, Lucille McKay and Henry Wucnich, all of whom made the grade within the year going home.

The Morris Fidlers and their daughter, Frances, of Reading, Pa., here at the Will Rogers to see Beatrice Fidler, another daughter, who is doing okay.

Isabelle Rook, who started on its pneumo-thorax routine some weeks ago, is doing so well that she's left that department.

Fred Esslinger (Warner Bros.) is a newcomer at the Will Rogers. Just ds the rest.

A swell comeback has been made by Ned McGushion, despite having lost a mess of poundage. Now up and around.

**(Write to those you know in Saranac and elsewhere who are ill.)**

# Tax Claims Shut Burley in Philly; Two Held in Bail, Several Stranded

Philadelphia, April .

Th Shubert theatre, burlesque house managed by Max Wilner, folded last Tuesday (29), when 15 Government agents stepped in and sei scenery and props before the matinee show. Feds claim Star Theatre Co., Inc., reported to be the operator, owes $3,282.25 in back amusement taxes, which, with penalties, total $3,467.23. Scenery was trucked to a Government warehouse.

Mrs. Stella Wilner, wife of the manager and treasurer of the co., was pinched that night and held Wednesday (30) morning by U. S. Commissioner James H. Malloy in $3,500 bail to await action of the grand jury. Tom German, manager of the house, was held in $1,000 bail.

About 150 patrons the house, waiting for the show to begin when the revenooers struck, were refunded their coin after German announced that 'labor trouble' was forcing postponement of the performance.

Folding left many of the principals, four strippers and 14 Allen Gilbert line girls stranded. Chorines, who got $24.75 a week, were owed amounts varying from $25 to $30. June Taylor, premiere stripeuse, had four days' pay coming, about $50. She said she had about 50c in her purse, and her hotel bill for three weeks coming due next day. Dixie Sullivan lives in Oklahoma City and was reported to have had 80c.

Entire cast declared that during past four weeks it was getting only coffee and cake money, as all profits at the Shubert were poured into the Ann Corio unit, which Wilner sponsored with Miss Corio and her about-to-be-divorced husband, Emmett Callahan. Unit failed, and the Shubert biz also fell off badly.

Trouble first developed night before closing, when the cast refused to go without getting paid. They claimed that money due them Saturday went to the nine musicians and six stagehands. American Fed. of Musicians and International Alliance of Theatrical Stage Employees' Union wouldn't let these two groups work without their wages. Actors used to belong to the Burlesque Artists' Ass'n, but haven't since burley died in New York. Monday night's performance finally got started—45 minutes late—when six chorines 'felt sorry' for Mrs. Wilner and went out and did time steps. They worked in two groups, one gang changing costumes while the other terped. Principals, touched by the exhibish of loyalty, finally agreed to work, too.

## KMOX, ST. LOUIS, SETS VAUDE FROM AIR ACTS

St. Louis, April 5.

KMOX will supply the talent for a stage show at Fanchon & Marco's 5,000 seater Fox for the week starting Friday (8).

Show, tagged 'KMOX Revels,' will feature Pappy Cheshire, as m.c., and will include Lorraine Grimm, blues warbler; Harry Cool, tenor; Singing Sophomores, femme sextet; Ozark Mountaineers, hillbillies; Al Cameron and Joe Karnes, song-comedy team and Clark Sparks, tenor.

## UEA Seen Back To AFA in Philly After 3-Year Rift

Philadelphia, April 5.

Deal for United Entertainers Assn., local nitery talent union, to return to American Federation of Actors' fold, from which it broke three years ago, has about jelled. One more confab between Tom Kelly, biz agent of the Philadelphia group, and Ralph Whitehead, AFA prez, expected to conclude negotiations.

Agreement was brought about through intercession of A. A. Tomei, prexy of musicians local here. Tomei wants to be able to count on the talent in event of tooters' strike.

Kelly's demand for local autonomy and local treasury has heretofore upset any possibility of an agreement. He has demanded that profits from a social club operated by the UEA be kept separate from dues. This was agreed to by Whitehead, and the AFA will even pay for quarters in the UEA club. Whole thing was in nature of a compromise, however, because much control over policy will pass into hands of national exec committee.

## Hoysradt, Mimic, Into N. Y.'s Rainbow Room

John Hoysradt, Yale alumnus and socialite, who came to attention with his mimicry at Chez Firehouse, N. Y., comes into Rainbow Room, N. Y., May 18, with the informal spring and summer policy. He's being touted as the male Sheila Barrett, doing impressions, etc. Al Donahue's band and Eddie LeBaron's rhumbaists will return also, coming in April 13 for an indef. LeBaron, who also produces Spanish talkers, is due back from Hollywood. Don DeVodi's Latin combo had been substituted in his absence.

Jack Cole and the Balinese Dancers are also slated to make their R.R. debut when Hoysradt preems.

## Scarpelli, St. Loo, Cited

St. Louis, April 5.

Anthony Scarpelli, proprietor of Club Plantation, has been cited by Excise Commissioner Lawrence McDaniel to show cause on Thursday (7) why his liquor license shouldn't be revoked. Scarpelli was one of five nitery operators who were found to be violating the Sunday closing hour last week. Because of widespread complaint on violations, the commissioner has been making personal inspection trips. Proprietors must clear their places by 2 a.m. Sunday.

Scarpelli's Club Plantation features small sepia show but only whit s are permitted to attend.

## Salici's U. S. Tour

Salici marionette coming back to the U. S. this summer for another vaude tour. Set for oew's State, N. Y., June 2 for week.

Troupe now touring Europe.

### PANCHITO'S N. Y. DATE

Panchito's rhumba band, which came to attention at La Conga, N. Y., opens June 1 at the Versailles, N. Y. Band w on the Coast recently.

## Billy Rose's Casa First to Sign Pact With Chorus Union

Billy Rose's Casa Manana became the first New York nitery to sign with the union (American Federation of Actors) chorus girls yesterday (5). Principals were already set under spot's closed shop agreement with AFA. Makes Casa first completely organized nitery, effective immediately.

Contract calls for a minimum wag of $36.50 weekly, upped from original $35.00 to allow for union dues. Als two weeks dismissal notice, rest periods, wearing apparel, no benefits, transportation, bail in case of arrest because of performance demanded by employer, free access to spot for union reps, remuneration for rehearsals after seven days, limi tion of rehearsals to five weeks, three hours daily, except in cases of new shows when seven hours are permitted under agreement.

## Yacht Club Boys Booked At Chi's Chez for 7 Wks.

Chicago, April 5.

Yacht Club Boys to headline Chez Paree show, opening April 15 for seven weeks.

Also on bill are Al Bernie, Joh and Edna Torrence, Louis D. Pron and Marion Manners.

## Metaxa to London

Georges Metaxa shoves off April 22 for four week at the Cafe de Paris, London, opening May 2. Yacht Club Boys follow him in later.

Set by William Morris agency.

## MUSIC HALL, N. Y.

*M. H. Symph, with Erno Rapee, conductor; Henrietta Schumann, Leon Fokine, Ballet, Jan Peerce, Nina Whitney, Bob Neller, Glee Club, Rockettes, 'March of Time,' 'Divorce of Lady X' (UA), reviewed in Variety, Jan. 19.*

For no apparent reason, this week's show is tabbed 'Funbeams.' It's up to the Music Hall standard, for the most part, but has few weak spots playing and performance.

Bill opens with Henrietta Schumann as piano soloist with the symphony orchestra. Plays the first movement from Grieg's A-minor concerto, lots of heavy ivory-thumping, and fairly effective.

Number by the Music Hall Ballet is well routined and danced. It's on the Pierot-Pierette theme and followed by Leon Fokine in a 'Happy Harlequinade' dance, first solo, then with one and later a pair of ballerinas.

Against a set that looks like a perfume ad in Vogue magazine, Jan Peerce acceptably sings 'From the Land of Smiles.' Then Nina Whitney drops one end of a long purple drape and dances a single routine.

Single added act is Bob Neller, ventriloquist. Some of his technique is as good as any in the business, but he seems lost in the huge surroundings and his material is second-rate.

Final number, which goes Scottish in a big, braw way, opens with the Glee Club outfitted in the Kilts of the Black Watch Highland regiment. Sings number of Scotch ballads, including 'Loch Lomond,' 'My Love Is But a Lassie Yet,' 'Annie Laurie,' and 'Let's Drink a Toast to Bobbie Burns,' all excellent, but nullified to a great extent by inept staging. Stage is much too large and the backdrop is cold and lifeless. Most obvious, however, are the wooden attitudes of the singers. They seem stiffly self-conscious, always maintaining set formations and positions, instead of appearing relaxed and grouping themselves informally.

As the chorus portion winds up, the ballet corps returns for a brief Highland fling number, togged to type. Rockettes have the finale as usual, also in Scottish mode, with the gals wearing yellow jackets and abbreviated black skirts. Music is 'The Campbells Are Swinging' and 'Comin' Through the Rye,' both in swing. Most of the routine is the customary precision kicks and taps, which are made to look easy as always. *Hobe.*

## ORIENTAL, CHICAGO

*Chicago, April 3.*
*Dorothy Dickson, Duval, Richards & Adrienne, Col. Jack Major, Ward & Milford, Jeffrey Gill; 'Jezebel' (WB).*

Show is rather slow currently, with major lack being comedy. Col. Jack Major and Ward and Milford fail in that department. Major gets his best results by warbling 'Last Roundup.' Ward and Milford win only real laugh with a three-second impression of a puppy who's had his leg stepped on. Done before, and not too hot.

Duval has a clean-cut magic act that concentrates on manipulation of silk cloth. Builds to effective climax. Appearance and showmanship excellent. Richards and Adrienne act, adagio trio, on twice, and is best with its disc tossing, something new for adagio.

Dorothy Dickson opens with the line and hoofs neatly. Gill, in the finale, displays a warm and strong pair of pipes. Makes smart appearance and evidences salesmanship.

Biz good last show Friday (1). *Gold.*

## STANLEY, PITT

*Pittsburgh, April 3.*
*Happy Felton's orch, Three Reasons, Joe & Pete Trado, The Honeys (6), Harry (Buster) Crabbe & June Kilgour, Dave Broudy's house orch; 'Merrily We Live' (MG).*

WB deluxer was to have had Shep Fields' orchestra this week but appendix operation has put him out of commission. Happy Felton's orchestra is the substitute, a good one, too, although without the name and b. pull. Opening day way off.

Felton's a local lad but this is his first stage date here, previous engagement having been in William Penn hotel's supper room. He looks like a comer, being equipped with a crack musical outfit and a lot of good, salable showmanship. Only turn he announces is Three Reasons, femme harmonizers, who are a bit above average, although he has a flock of unbilled specialists getting in good licks. Orchestra has rhythm and swing at its fingertips, with Felton preferring the former, as he admits in his 'Loch Lomond,' played first straight and then in the modern manner.

Brass section is tops, with a French horn trio (borrowed temporarily from Major Olmes band at Webster Hall hotel here) adding sweet tonal excellence, and an electric guitar used effectively. Felton steps out for several songs, mixing with first-rate mimicry, scoring particularly with 'Allegheny Al,' one of his standbys, and an amusing hillbilly novelty.

Sharing billing with band is Larry (Buster) Crabbe, of the films, who's friendly enough and apologetic about his shortcomings. Best that can be said of him is that he tries hard, but it's strictly a personal appearance for a Hollywood figure. Anybody with less of a rep trying to get away with as little talent wouldn't have a chance. Crabbe's assisted by June Kilgour, Par contract player, an animated pepper-pot, who helps considerably. She should pick something else besides 'I've Got You Under My Skin' for her vocal specialty. It's heavily torched and doesn't fit with her ga-ga manner.

Right after the orchestra opening comes Joe and Pete Trado, standard vaude turn, with a pleasant session of tomfoolery. Act hasn't changed since last visit six months ago, going through the pantomime bit in a darkened picture house and winding up with their hoke dance, one standing on the other's shoulders and both covered with a big coat.

Also on hand are the Honeys, three gals and as many boys, starting out as conventional hoofers, not very good, but quickly switching to their breathtaking acrobatic stunts to take the mob by complete surprise. One of the fellow's gags fall flat. Dave Broudy's house orchestra in the pit, but overture's brief due to length of bill. *Cohen.*

## FOX, DETROIT

*Detroit, April 3.*
*Sam Jack Kaufman's house band, Frankie Connors, Magyar Troupe (11), Felovis, Gae Foster Girls, Chaz Chase, Natalie & Howard, Marjorie Gainsworth; 'In Old Chicago' (20th).*

Throwback to music hall days of 20 years ago, in keeping with the film, 'In Old Chicago' (20th), has all the trappings of the old days. Show runs 50 swift minutes.

Stellar work is turned in by Marjorie Gainsworth, singer, who appeared here recently; Natalie and Howard, dancers, and Chaz Chase, comedian. Miss Gainsworth, in closing, gets over with repertoire, cluding all types of singing. 'Italian Street Song' is her encore. Chase's forte, as usual, is his lighted cigar, et al, eating bit. Evokes plenty of laughs with pantomimes.

Magyar troupe, five gals and six males, exhibit gobs of flash in their teeterboard turn. Although several missed at show caught, there were raft of good ones to make up, especially the four-high bit. Felovis rates well as a juggler, his top hat and cigar trick being most notable.

Frankie Connors, house tenor ordinarily in the pit, is on stage to lead payees in some slide warbling. Later sings 'Good Old Summer Time' with Gae Foster Gals. Latter present three times, in a ruffle skirt bit, a summertime dance and for the finale a militaristic number. Sam Jack Kaufman orchestra overtures 'In a Clock Store,' highlighted by fake mustaches, old clothes, and Kaufman's ragged tails.

Okay crowd at early evening show caught Friday (1) night. Second week for flicker. *Pete.*

## PALACE, CLEVE.

*Cleveland, April 3.*
*Tommy Dorsey's orch, Jack Leonard, Edythe Wright, Betty & Ray McDonald, Don Cummings; 'Love, Honor and Behave' (WB).*

Army of shag-cats are turning out big for Tommy Dorsey's orchestra. House may have had hotter bands but none that could whip the ickeys to such a heated pitch.

Cricks' rap about murdering classics don't bother Dorsey; they only make him open up wider on the swingeroo when hitting 'Liebestraum' or 'Song of India,' which makes the fans feverish. His sliphorn work is as slick as show's pace, always on the go without any unnecessary stuff. Jack Leonard's tenor only fair but Edythe Wright's chirping of 'Dipsy Doodle' compensates. Newer numbers might galvanize repertory more.

Band's low-down jitter rhythms are swell, offsetting any lack of conventional melody. Seemed paradoxical, therefore, when Dorsey miscued on music of two extra acts.

Betty and Ray McDonald, from 'Babes in Arms,' legit musical, dovetail neatly with blithe taps and smart pantomime but orchestra is always two beats ahead. Tricky, broken rhythms of pair make it tougher yet. They got two encores.

Rope acrobatics and swift gagging by Don Cummings lace bill with some strong, necessary laughs. Provides the only flavor of real vaudeville on a bill that has too much music, although the shaggers yell for more. Palace going all the way for Dorsey as result, holding dance on stage after Monday's (4) last curtain as well as skedding its first broadcast from theatre's rostrum for his Wednesday (6) night commercial. *Pullen.*

## STATE, N. Y.

*Billy Wells & 4 Fays, Fifi D'Orsay, Bert Wheeler & Co., Eddie Garr, Carl Freed, Ruby Zwerling's house orch; 'Everybody Sing' (MG).*

With Bert Wheeler and Eddie Garr, stage show is a cinch. It's been around eight years since Wheeler trod the boards in New York, for Hollywood has been his habitat almost exclusively. This is his second week of the vaude flyer which started in Philadelphia couple of weeks ago.

Wheeler capable of putting over a single, as always, but he has three assistants, nevertheless, two having little to do, however. Having a 'company,' spotting of Garr just ahead of him is okay. Garr clicked so well that Wheeler cracks he wishes Garr was in Chicago this week.

Wheeler has a straight man in the guise of the house's assistant manager. He's Hank Ladd. Top-hatted, Wheeler enters eating an apple, with two sandwiches also serving for gag usage. The liquid crying bit is the comic's tradework. With Dorothy Lee's drop-out in Philly through illness, the comedian picked up a new femme aide from a Quakertown cafe floor. She's June Burnett and should be okay when worked into the routine.

Garr's best material is used while kidding the girls. Other dame stuff seems as good while mimicry finale sends him off to plaudits. The Ed Wynn impression his topper, though.

Carl Freed's harmonica band closes nicely, being pleasant, novel diversion. Fifi D'Orsay is the lively No. 2, her French elephant number making up most of the routine. As show starters there aren't many better than Billy Wells and the 4 Fays. He provides giggles while the girl dancers have plenty of pep.

Allan Jones will top the next show, following himself on the screen since he is featured the current 'Sing' picture, along with Judy Garland and Fannie Brice. *Ibee.*

## EARLE, PHILLY

*Philadelphia, April 3.*
*Balabanow Five, Radio Rogues (3), Jackie Cooper, Lucy Monroe, Ben Blue, Lou Schrader's house orch; 'Hawaii Calls' (RKO).*

Halting its parade of swing bands this sesh, Earle compensates with names aimed at getting the six to sixty trade—and it's working. Jackie Cooper is drawing the kids, Lucy Monroe the music lovers, and Ben Blue getting them all with his usual dafly routines. Stage set is standard Earle pattern when there's no name band on hand, Lou Schrader's effective house combo being shifted from pit to the deck to provide background for the acts and a couple numbers on its own.

Curtain-upper following band intro is the solid Balabanow Five, three gals and two men pumping accordions and tossing in a flock of acrobatic novelties. All nice lookers, although turn slightly long in proportion to rest of bill.

Three Radio Rogues follow with sock mimicry. Use three mikes and work in semi-blackness. Imitations of show biz notables come in rapid-fire succession. Would better eliminate n.s.h. Amos and Andy. Some new gags to sub for archaic blue ones would also help. Roosevelt and Hitler encores are big and trio has to beg off.

Jackie Cooper gets off fairly oke through variety of talents. After drawn out start with slow palter he drums 'Dipsy Doodle' in such nifty fashion that return with 'Bei Mir' can't be skipped. Follows with mediocre terping and then a scene from 'The Champ,' picture, which sent him to the top. Wins tremendous applause, although routine is only fair.

Good looker, with excellent pipes, Lucy Monroe does 'Ti-Pi-Tin,' 'Italian Street Song,' medley of three pops, and 'Kiss Waltz.' Turn slightly too long, with femme's manner just a bit too uppity.

Ben Blue gets heavy salvos throughout. Ted Lewis imitations, dance hall scene with a blonde gal, nutty Russian terping and a dance with a gal and another guy get over. Much of the stuff merely a repeat from recent film work, but strong curtain nevertheless. *Herb.*

## ORPHEUM, MPLS.

*Minneapolis, April 3.*
*Juanita's Champions (4), Moore & Revel, Jack Powell, Six Leading Men, Milton Watson, Mae West; 'Kid Comes Back' (WB).*

It's an extremely ordinary vaudeville lineup with which Mae West is surrounding herself, but she proves satisfactory. This is Miss West's first local visit. She's no longer a screen magnet here, but turnouts at her initial shows, while considerably under expectations, were impressively large.

Show only runs about 50 minutes. Medley and Dupree are billed, but do not appear. The film star is on for more than third of the running time, which as it should be. Juanita's Champions are four blonde feminine rollerskaters, who work conventionally.

There's nothing novel or startling in Moore and Revel's mildly amusing burlesque ballroom dancing. Jack Powell repeats his drumming stunts to the usual good applause returns and is followed by the Six Leading Men, who pave the way for Miss West with songs that tell of her film hits. They're good looking enough, making a natty appearance in full dress, but their vocalizing falls plenty short.

Miss West was seen to good advantage in a tight-fitting, black gown at show caught. Working with the good-looking Milton Watson, she sings, gags, struts and winds up with a bit of dancing. Most of her gags have been employed previously in her pictures, but they meet a good response, anyway. For a windup she brings on the Six Leading Men again and joins them in several songs.

Biz—only fair for the Friday (1) (opening day) supper show. *Rees.*

## Roxy, Salt Lake City

*Salt Lake City, April 3.*
*Sol Strauser, Johnny & Julius, Danny Drayson, Three Southern Gentlemen, Quinn Sisters, William McCullough, Field & Clark, Gordon Mackay, Charles Hixson, Dave Brown, Neeley Edwards, Bill Floor's house orch; 'Flight from Glory' (RKO), 'Romance and Riches' (WB).*

This crop of tyros, having escaped Major Bowes' bell-clanking, get by easily. Biz good, aided by the 108th annual Mormon conference.

There are 16 in the 'International Revue,' which runs around 55 minutes, with two standouts, Sol Strauser, 20, and roly-poly, with a rich, pleasing tenor, and Danny Drayton, whose limber legs stamp him as a comer.

Bill Floor's house orchestra, batoned by Dave Brown, unit pianist, opens with a pop medley, paving the way for Neeley Edwards, whose m.c.'ing and specialty clogging are winners.

Three Southern Gentlemen, youngsters, sing and dance with spirit. Gordon Mackay, Negro tenor, is well received, encoring after 'Stardust.'

Elderly William McCullough, introed as one of the first alumni of the Bowes program, clangs his way into the hearts of the adults, but his Swiss bell ringing chores are mediocre.

Quinn Sisters follow with a listless gamology. Field and Clark, mixed roller skaters, perform ably on a portable rink, with the male drawing the greatest applause for his expertness in a solo swing stomper.

His 275 pounds garbed in a stylish tuxedo, Strauser has 'em hollering for more. Youth's initial song is an operatic aria followed by 'Sweetheart' and later with 'Bei Mir Bist Du Schoen,' the latter being embellished with an appealing Hebrew chant. Diction, however, needs improvement.

Edwards next with standard clog and specialty terping. Corny, but finding favor.

Brown, with a dead pan, rates a nod for his ivory duties. Also included in the high school menage are Johnny and Julius, the latter an o.k. cornetist, the former adept in imitating the iron horn.

Danny Drayson uncorks refreshing tapology. Good mimic, too, with comedy antics also effective.

Charles Hixson, who invented the accordophone, plays two songs on the combination accordion and electrically - operated marimbaphone. Sounds smoothly, but stage fright of groan boxer robbed act of just value at show caught.

Entire cast on stage in finale. Backdrop, displaying a colorful map of the world, lends credence to title of revue. *Guss.*

## HIPP, BALTO

*Baltimore, April 3.*
*BeeHee & Rubyatte Troupe (6), Viola Philo, Red Donohue & Uno, Buster Shaver with Olive & George; 'Hawaii Calls' (RKO).*

Only 33 mins. for vaude but standard acts, however, manage to punch out a good show. Needs addition of another act though.

BeeHee and Rubyatte, troupe of six Arabs, open with sock tumbling and pyramid building, to good returns. Viola Philo, in the deuce, sings three arrangements, the first two demonstrating powerful pipes, albeit a trifle on the classic side. Closing number, 'Italian Street Song,' more in line and an encore earner. Sets good spot for Red Donohue and Uno, next, hokey blackface and trained mule. Very funny and a good novelty.

Buster Shaver, with undersized George and Olive, in strong closer. Act, now almost completely on the hoof side, not as effective as previous layouts, but still possessed of some sock. Shaver at the piano throughout except for waltz interlude with Olive. Closing number, featuring series of fast spins, a good chaser, meriting several curtains. *Burm.*

## Int'l Aquatic Follies

### (NEW HAVEN)

*New Haven, April 3.*
*Marshall Wayne, Madeline Karson, Leonard Spence, Frank Snary, Helen Howard, Lilly Delascass, Walter Cleaver, Lisa Lindstrom, Sam Howard, Larry Griswold, Ballet (6).*

Something different in a unit hit this town for a three-night stand at the Arena. More or less a pioneering venture, biz was only so-so, but promoters were satisfied, as they figured the missionary work would eventually build to a neat figure on a repeat date. Similar situation curred here a couple of seasons ago when the 'Ice Follies' played its first stand here. Gross was insignificant, but show created such good will that return dates were sold out in advance.

Show is backed by Sam Snyder and George Grey and usually operates under auspices. Here, though, as a freelancer. Salary nut is only $3,300. Transportation and equipment (400,000-gallon portable tank) represent a healthy sum.

Staged by Arthur Spaulding, unit is routined in showmanly manner, with sock stuff held for last half. Presented in two parts, opening gets going with parade of company around the tank, which is about 15 feet high. First is a medley swim of three femmes in a race against Leonard Spence, former Olympian; Karson girl and Marshall Wayne follow in low diving exhib, then Frank Snary is in for some comic diving. Spence comes back for some educational work, showing various strokes and turns in tank racing. Femmes, Helen Howard, Madeline Karson and Lilly Delascasas, offer high board diving competish and give way to ballet (6), which is part one closer.

Part two opening swimsuit style show, from 1900 models to present. Contains some eye-filling displays and is a good starter for the act. Walter Cleaver is next in a smart routine, combining skill and comedy in unusual stroking. There's a relay spotted here with femmes in modern suits opposed to old timers. Some click team swimming is demonstrated by Spence and Lisa Lindstrom, who split the waves together as . Male divers from high board close the show with straight and comedy plunging. Sam Howard and Larry Griswold, who do a vaude trap and trampoline act when not appearing with this unit, get off a series of dives that wow the crowd after Griswold enters from the audiences as a supposed tippler.

Outfit worked under a handicap at show caught, due to inability to heat the water. A 45-degree temperature (troupe ordinarily works in 70-75) curtailed program somewhat and entirely killed an eight-girl ballet in act two. Show as whole, though, favorably received.

Unit has played to profitable stands in Boston, where it opened March 17, and in Providence. Goes from here to Buffalo, Syracuse and Hershey, Pa., under auspices. *Bone.*

## Embassy Newsreel, N. Y.

Mars and his cohorts, this time with focus on U. S. military forces, and developments the national scene, hold center of interest on new bill. Otherwise the newsreels follow usual pattern.

Effects of Barcelona bombing grippingly caught by 'News of Day,' which also does a good job covering Army war games. Night shots with machine guns' tracer bullets spotlighted. Paramount shows the 15th Infantry replaced in China and it's filled with human interest. Universal does well showing new giant army plane at Dayton. Par also has colorful coverage of proposed new $7,000,000 trans-oceanic airplane, with closeups of ship plans. China's new army recruits is ably handled by RKO-Pathe.

Final review of English dragoons before becoming motorized and remarkable photos of a formation flight in N. S. army 'attack' well treated by Movietone. Par has alert coverage of Mexico-U. S. controversy over seizure of private oil properties by the Mex government, showing how Mexcian edict was cheered by labor groups parading Mexico City. Speeches by senators on reorganization bill controversy Congress, one by Herbert Hoover and chat by the former chief of the Tennessee Valley Authority given routine once-over by Pathe.

Arrival of rescue party for four Soviet explorers drifting on ice from North Pole for eight months may be an historical document but it is tame after Movietone's pictures several weeks ago of same group setting up camp. Lowell Thomas helps make Fox' pictures worthwhile.

Sports parade naturally is headed by Grand National (Sweeps) Steeplechase race won by Battleship, American entry, of 'Man O' War.' Reel is designated as an extra by Par. Faithful cameraing of thrilling event, with flashback to birthday of 'Man O' War at Lexington, Ky. stables. Other sports include hair-raiser hockey game between Amerks-Chi Hawks, N. Y., with action closeups a bright feature. New

(Continued on page 52)

# Variety Bills

## NEXT WEEK (April 11)
## THIS WEEK (April 4)

Numerals in connection with bills below indicate opening day of show, whether full or split week

## RKO

**BOSTON**
**Boston (7)**
Buck & Bubbles
(31)
Stepping Toes
**Memorial (7)**
Blues Girls
Louis DePron
Jane Pickens
Gene Sheldon
Holland & Hart
Park & Clifford
Janet Carroll
**CHICAGO**
**Palace (8)**
Nelson Co
Campo
Eddie Carr
Abbott Co
(1)
Chester Hale Girls
Monroe Bros
Sara Ann McCabe
Gil Lamb
**CINCINNATI**
**Shubert (8)**
Buddy Rogers Orc
(1)
Major Bowes Co
**CLEVELAND**
**Palace (8)**
Major Bowes Co
(1)
Tommy Dorsey Orc
G & R McDonald
Don Cummings
**KANSAS CITY**
**Mainstreet (8)**
Bell's H'lan Fol
**MINNEAPOLIS**
**Orpheum (1)**
Mae West
**SCHENECTADY**
**Proctor's (7-9)**
Glorified Scandles

Week April 7th
LOEW'S STATE, New York
**George Prentice**
Dir.: LEDDY & SMITH

## Loew

**NEW YORK CITY**
**State (7)**
5 Elgins
[illegible]
[illegible]
Allan Jones
Alexander & S Rev
**EVANSVILLE**
**Majestic (7-9)**
Midnight Serenade
**PITTSBURGH**
**Stanley (8)**
Major Bowes Co
**WASHINGTON**
**Capitol (8)**
Fred Waring Orc

## Paramount

**NEW YORK CITY**
**Paramount (6)**
Guy Lombardo Orc
Ella Logan
Marion Daniels
**BUFFALO**
**Buffalo (8)**
D'Artega
Nita Carol
**DETROIT**
**Michigan (8)**
Burns Mariarty & D
Bee Ho Gray
Carol Manners
Lowe Hite & S
Kimris
**MARION**
**Palace (10 only)**
Stephin Fetchit

## Warner

**BROOKLYN**
**Strand (8-10)**
4 Robeys
Paula Stone
Garner, Wolf & H
Clyde Hager
Well & 4 Fays
**PHILADELPHIA**
**Earle (8)**
Condos Bros
Wynn Murray
Buster Shaver Co
Happy Felton Orc
(1)
Ben Blue Co
Jackie Cooper
Radio Rogues
Lucy Monroe
Balabanow 5
**PITTSBURGH**
**Stanley (8)**
Major Bowes Co
Jackie Cooper
(1)
Happy Felton Orc
Buster Crabbe
F & P Trado
Honey Fam
**READING**
**Astor (8-9)**
Balabanow 5
**WASHINGTON**
**Earle (8)**
Cab Calloway Orc
(1)
4 Franks
Manhattanites
Tom Barry
Johnnie Bryant
Lucille Johnson
Richard & Carson
Maxellos

## London

### Week of April 4

**Astoria**
Equillo Bros
**Dominion**
Ambrose 8
**CLAPHAM**
**Granada**
4 Hermans
Addison & Sylvia
Herschel Henlere
Bobby Howell Bd
**EAST HAM**
**Granada**
Bil & Bil
Toko & Barry
Roy Bros
Fields Bd
**GREENWICH**
**Granada**
Bil & Bil
Toko & Barry
Roy Bros
Fields Bd
**ISLINGTON**
**Blue Hall**
Austel & Arthur
Green Bros
**LEYTONSTONE**
**Rialto**
4 Spallas
Ray Vaughan
Billy Whittaker
Emerson Smith Bd
**LEWISHAM**
**Palace**
Leslie Jeffries 3
**STREATHAM**
**Palace**
Leslie Jeffries 3
**TOOTING**
**Granada**
Addison & Sylvia
4 Mounters
Bobby Howell Bd
**WALTHAMSTOW**
**Granada**
4 Spallas
Henri Wadden
Billy Whittaker
Emerson Smith Bd

## Provincial

### Week of April 4

**ABERDEEN**
**Tivoli**
Jack Anthony
Bond Howell
Fayre 4
Renara
Neller & Clare
Hilda Meecham
Jay Morelle
Sherman Fisher Gls
Jack Love
C & N Kay
Tommy Gorham
**EDINBURGH**
**Theatre Royal**
Radio Inversnecky
Harry Gordon
Mona Grey
M'rwoode & R'ch'ds
Morton Fraser
12 Loretta Girls
Clayton Sis
Jack Holden
Alex Lennox
**GLASGOW**
**Pavilion**
Albert Sandler 3
Batie & Foster
Nelson & Hagen
Frank Wilson
Terry Wilson
Alphonse Berg Co
Daimler & Eadie
Wonder Wheelers
**KINGSTON**
**Empire**
Stanelli's Co
Norman Long
Russell & Marconi
3 Musketeers
Ernest Shannon
Danvers, L & R
Shamvas
Max Herman
Jack Wynne
**LIVERPOOL**
**Shakespeare**
Penny-Soc-her-Pools
Ernie Lotinga
Jack Frost
Gwen Hayes
Harold Wilkinson
Joan Soames
Betty Hobbs
Superb 12
5 Harvard Boy
4 Young Ryles
John Brewster
Rex Hancock
William Forsyth
Daisy Bindley
Betty Baldwin
Doyle Crossley
Fred Luck
Marjorie Nail

## Cabaret Bills

### NEW YORK CITY

**Barney Gallant's**
Marilyn Gaynor
Hanson, How'd & H
Angela Velez
Little Sachs
**Barrel of Fun**
Snub Mosely Orc
Clayton & Dunn
Gertrude Dwyer
Bennett Green
**Bertolotti's**
Don Sylvio Orc
Angelo's Rhu'ba Bd
Ivy Cole
June Carroll
Anne White
3 Little Sachs
Laura Deane
Renee Villon
**Bill's Gay 90's**
Ed Furman
Billy Lorraine
Margaret Young
Joe Howard
Rudy Madison
Ethel Gilbert
Spike Harrison
Henry LaMarr
**Casa Manana**
Abe Lyman Orc
Joe Candullo Orc
Dr Rockwell
Sally Rand
Morton Downey
Oscar Shaw
Tom Patricola
Stan Kavanagh
Willie, West & M
Walter Dare Wahl
Frazee Sis
Proske's Tigers
Sanami & Michi
**Chateau Moderne**
Bigelow & Lee
Dorothy Thery
Bass & Rickson
**Club Cavalier**
Teddy Lang Orc
Jack Laurie
Ann Kennedy
Ginger O'Neill
Irene Mauseth
Connie Bee
Harriet Brent
Nellie Durkin
Jean Krantz
Nancy Kuber
Ramon
**Club 18**
G Andrews Orc
Jack White
Pat Harrington
June Lorraine
Frankie Hyers
Lelia Gaynes
Jerry Kruger
Doc R E Lee
1-R'd Jackson
Willie Grogan
Julio
**Club Gaucho**
Los Gauchos Or
Dimitri & Virgil
Trini Plaza
Nannette Vallon
Arturo Cortes
Latonita
**Cotton Club**
Duke Ellington Orc
Aida Ward
Peters Sis
Peg-Leg Bates
Mae Johnson
Alan & Anise
Chocolateers
**Famous Door**
Louis Prima Orc
Oshins & Lessy
Shirley Lloyd
**Garbo**
Albert Malanga Orc
Baron Gyldenkrone
Mickey Feeley
Elaine & Henry
**Greenwich Village Casino**
Ray O'Hara Orc
Aileen Cook
Helen & Tom Nip
Gwen Marlo
Ruth Hazen
Valerie Dumont
Joey Cappo
**Havana-Madrid**
Vicente Gomez
Raquel & Tarriba
Lucha Reyes
Hilda Ramos
Adelita Varela
El Caney 6
**Hickory House**
Joe Marsala Orc
Peggy Newton
3 Peppers
**Hotel Ambassador**
Dick Gasparre Orc
Beauvill & Tova
Adelaide Moffett
**Hotel Astor**
Sande Williams Orc
M Raginsky Orc
**Hotel Belmont-Plaza**
Sonny Kendis Orc
Lee Sims
Ilo May Bailey
**Hotel Biltmore**
Horace Heidt Orc
Charles Goodman
Red Farrington
Lysbeth Hughes
4 Kings
**Hotel Bossert (Brooklyn)**
Will McCune Orc
**Hotel Commodore**
Red Norvo Orc
Mildred Bailey
**Hotel Edison**
Blue Orc
**Hotel Essex House**
Charles Baum Orc
Vee Lawnhurst
**Hotel Gov. Clinton**
Eddie Lane Orc
**Hotel Lincoln**
Isham Jones Orc
Kathleen Lane
**Hotel McAlpin**
J Messner Orc
Jeanne D'Arcy
Gonzales & Mennen
**Hotel New Yorker**
Jimmy Dorsey Orc
Bob Eberle
June Richmond
Ross McLean
Charles Uksila
Roberts & Farley
Alfred Trenkler
Ronald Roberts
Bobbie Doree
May Judels
DuReine Farley
DeLories Ziegfeld
Erle Walt
**Hotel Park Central**
Jerry Blaine Orc
Le Zorros
K & R Paige
Walter Donahue
Geo Brown
Ann Page
**Hotel Pennsylvania**
Benny Goodman Or
**Hotel Piccadilly**
Jeno Bartal Orc
**Hotel Plaza**
Pancho Orc
Paul Draper
**Hotel Roosevelt**
Orrin Tucker Orc
Bonnie Baker
Bailey Sis
Morton Wells
**Hotel Savoy-Plaza**
Gerry Morton Orc
Joe McNamara
Dixie Ingram
Dwight Fiske
**Hotel Shelton**
Ed Mayehoff Orc
**Hotel St. George (Brooklyn)**
Harold Stern Orc
**Hotel St. Moritz**
Ralph Gonzales Orc
Basil Fomeen Orc
Claire Vermonte
Fawn & Jordon
**Hotel St. Regis**
Emil Coleman Orc
C Codolban Orc
Vanda Mara
Mario & Floria
**Hotel Taft**
Geo. Hall Orc
Dolly Dawn
**Hotel Waldorf-Astoria**
Leo Reisman Orc
Xavier Cugat Orc
Gower & Jeanne
**International Casino**
Yascha Bunchuk Or
Gene Fosdick Orc
Calgary Bros
Gaudsmith Bros
Eddie McMullen
Bobby May
C de la Grange
Artini
Maurice & Crance
Jacqueline Mignac
Emilie Gregoire
**Jimmy Kelly's**
Joe Capello Orc
Allan Small Orc
Inga Borg
Kelly Rev
**Kit Kat Club**
Maurice Rocco Orc
Pearl Baines
Teddy Hale
Flash & Dash
Consuelo Harris
Dorothy Rhodes
**Larue**
Eddie Davis Orc
Joseph Smith Orc
Julie Gillespie
Graziella Parraga
**La Conga**
E Madriguera Orc
Patricia Gilmore
**La Marquise**
Karol Kane
Trini Plaza
Muriel Welch
Frank La Salla
Silvertone 3
Maria Forbes
Frank McFarlane
Dolores Rogers
Cela Lee
Ann Stuart
**Laurel-in-the-Pines (Lakewood, N. J.)**
Howard Woods Orc
**Le Coq Rouge**
Nick Vouzen Orc
Geo Sterney Orc
Murray Heyman
**Le Mirage**
Harry Horton Orc
Doris Reed
Dolores
Tisdale 3
**Leon & Eddie's**
Lou Martin Orc
Eddie Davis
**Le Ruban Bleu**
Hope Emerson
Herbert Jacoby
Elsie Houston
Jimmy Daniels
Bowers & Walter
**Little Old New York**
Jack Laurie
Phoebe Hightower
Jack Palmer
Mickey Mallory
Marie Marlow
Billie Chester
Esther Martin
Dolores Ware
Maxie Lengel
**Mario's**
Angel Pagan Orc
Elena Cortez
Pippo
E Villanueva
**Nut Club**
Henry Jerome Orc
Lillian Nono
Helene
Jack Mason
**Old Roumanian**
Michael Weiner Orc
Yourly Yourloff
Helen Shaw
Sammy Morris
Rosalie Roy
Sadie Banks
Ethel Bennett
Ada Lubina
Ronnie De Campe
**Onyx Club**
John Kirby Orc
Maxine Sullivan
Leo Watson
**Paradise**
Bunny Berigan Orc
Lionel Rand Orc
Barbara Parks
McNallie
Johnny Coy
Alan Carney
Liberto & Owens
Shannon Dean
**Place Elegante**
W Palermo Orc
Bill Farrell
Ernest Franz
Vincent DeCosta
Rex Gavitte
**Plantation Club**
Ovie Alston Orc
Leo Simmons
Morton & Margo
Lawrence Hill
Anderson Sis
**Queen Mary**
Hal Hope Orc
Ray Jones
Ann White
Sid Manish
Katherine Mayfield
Wilson Lang
**Queens Terrace (Woodside, L. I.)**
Jack Melvin Orc
Deauville Boy
Harriet Cros
Rosalie Roy
Phyllis Dare
Adams & Nevins
**Radio Franks' Club**
Frank Bessinger
Jerry White
Gracie Morgan
Gus Wicke
Jimmy Burns
Fred Bishop
Mammy Jennie
Joe Gallagher
**Rainbow Grill**
Bert Block
Theod're & Denesha
Marlynn & Michael
Ruby Newman Orc
Don De Vodi Orc
Billy Milton
Raye & Naldi
**Roumanian Village**
Charley Swartz Orc
Ludwig Satz
Henry Berman
Leo Fuld
Henrich Cross
Doloris-Rosina
Gypsy Nina
**Russian Art**
Fasha Datsko Orc
Anna Kouznetzova
Mara
Sinda Voella
Alex Bolshakoff
Eli Spivack
Zachar Martinoff
**Russian Kretchma**
Nicholas Matthey Or
Michel Michon
Nadia Sokoloskaya
Marusia Sava
Simeon Karavaeff
**Salon Royal**
Barry Winton Orc
J Dominguez Orc
Joan Edwards
Nancy Nelson
Hilda Salazar
Martha Stephenson
**Stork Club**
Bobby Parks Orc
Nilo Menendez Orc
**Versailles**
M Bergere Orc
Gus Martel Orc
Willie & E Howard
**Village Barn**
Johnny Johnson Or
Peggy Mann
Tom Emerson Co
Larry McMahon
Gardner & Kane
Cyril Mansfield
Kollegiate Kids
**Village Brewery**
Lou Carroll Orc
Jimmy Audubon
Pat Kilpatrick
**Whirling Top**
Geo Morris Orc
Ramon Ringo
Stephen Harri
Marta Cerny
**Wivel**
Bob Asen Orc
Joe Arena
Marion Putnam
Bob Lee
Patricia Riley
Fiola Marina

### LOS ANGELES

**Bali**
Charlie Lawrence
Bruz Fletcher
**Beverly Wilshire**
Harry Owens Orc
**Biltmore**
Dean Janis
Joaquin Garay
Petch & Deauville
Pritchard & Lord
Frank Trombar Orc
**Cafe de Paree**
Roberta & Ray
Dorothy Black
Helen Mendel
Rex Denny
**Cafe International**
Les Hite Orc
**Cafe la Maze**
Eliane Dahl
Don Roland Orc
**Clover Club**
Bob Grant Orc
Rhumba Orc
**Club Versailles**
3 Robert Bros
Carmen Carniecta
Helen Robbins
Bill Lankin
Daryl Harper Orc
**Cocoanut Grove**
Bergen & McCarthy
Alec Templeton
Herbie Kay Or
**Hawaiian Paradise Club**
Lelia Ala
Satina
Hilda Pualola
Eddie Bush 3
Pau Kiaioh
Pat O'Shea
Dick McIntyr
Sol Hoopii Orc
**It Cafe**
Amando & Lita
Jimmie Dodd
Aniwa Boys
**La Conga**
Chiquit
Tana
Eduardo Duranda
Rhumba Bd
H. Rosenthal Orc
**Little Club**
Jane Jones
Bessie
Tiny Meredith
Lee Keener
Paul Kendall
Helen Warner
**Omar's Dome**
Lee Lenix
Avonda
Mavis Mims
Eddy & Tours
G Redmonds Orc
**Pacific Sunset Club**
Vicki Allen
Rossillanos
Agnes Johnson
Kenny Gartner
Dorothy Roberts
Chico
**Palomar**
Dural & Renee
Misings
Muzzy Marcellino
Hudson Metzger Gls
3 Debutantes
Ted Fio Rito Orc
**Paris Inn**
Henry Monet
Ken Henryson
Raoul & Conchita
Danga Var
Del Rio & DeM
Bobbie Drennan
Dominic Columb
Thora Mathieson
Frank Sortino Orc
**Seven Seas**
Lily Gibson
Honolulu Dancers
Kay Silver
**Somerset House**
J. Park Boys
Durell Alexander
**Topsy's**
[illegible]
Alice Hulett
Agnes Johnson
Maxine Wingo
Dana Billings
Russell Brow
Tony Allan
Jane Lord
Constance Blackm'n
Lorraine Gerard
Jan Garber Orc
**Trocadero**
Garwood Van Orc
Panchito Orc
Victor Hugo
Judy Janis
Bob Millar Orc

### CHICAGO

**Blackhawk**
Bob Crosby Orc
Alice Marion
Lorraine & Renard
Jo Andrews
**Chez Paree**
Harry Richman
Judy Starr
Lou Breese Orc
G & J Preisser
Don Hoston
Don Orlando Orc
**Colosimos**
Henri Gendron Orc
Gus Van
Yvette Rugel
Francon & Fr'ch'n
Eddie White
Ross Wyse Jr
Renee Villon
Mildred Jordon
**Club Alabam**
Harriet Norri
Effie Barton
Inez Gamble
Carl Villani
Bernie Adler
Monte Marrison
**885 Club**
Paul Rosini
Gladys Crane
Susan Cantu
Gloria Faye
J Honnert
Nina Rinaldo Orc
**Gay 90's**
Lew King
Ingrid
Dolores Green
Skinny Reale
Bobbie Conner
Lew King
Jules Novitt Orc
Collee
**Harry's N. Y. Cabaret**
Chas Engles Orc
Jack Irving
Art Buckley
Al Wagner
Dorothy Johnston
Laurene Nevell
Joe & Lonett
Harry Linden
Billy Meyers
Mystic Vihra
**Hi-Hat**
Willie Shore
Nan Blackstone
Luba Malina
Gould Sis
Kay LaSalle
Sid Lang Orc
**Hotel Bismarck (Walnut Room)**
Art Kassel Orc
Marion Holmes
Billy Lee
2 Eileens
Frank Pay
Young & [illegible]an
**Hotel Brevoort**
Florence Schubert
Rene Laevin
Joe Parlato
**Hotel Congress (Casino)**
N T G Rev
**Drake Hotel (Gold Coast Room)**
Hal Kemp Orc
Rosalind Marquis
Elaine & Barrie
Chas Carrer
Sunny O'Dea
**Grand Terrace**
Louis Armstrong Or
May Diggs
Penny & Joe
Sunny Woods
Bobby Caston
Julia Hunter
**Edgewater Beach Hotel (Marine Room)**
Griff Williams Orc
Monte Kelly
Buddy Moreno
Nob 3
**Hotel Palmer House (Empire Room)**
Maurice & Cordoba
Gali-Gali
Dorothy King
Stanley Hickman
Bernie Cummins Or
Abbott Dancers
**Hotel Sherman (College Inn)**
Novelle Bros
Bob Bromley
Stadler & Rose
Louis Panico Orc
**Hotel Stevens (Continental Room)**
Sterling Young Orc
**Rose Bowl**
Earl Rickard
Mickey Dunn
Paulette LaPierre
Marcelle Gardner
Peggy Loe
[illegible] Ferris
John Hurst
**Royale Frolics**
Reis Bros
Dolly Kay
Joyce Bros & Dean
Mark Fisher Orc
Sid Tomack
Anita Jacobi
Dick Hilliard
Richards, Adriene 3
3 Trojans
**Three Deuces**
Roy Eldridge Orc
Cleo Brown
Gladys Palmer
Fred Reed
Monette Moore
**Yacht Club**
Billy Gray
Jerry Bergen
Mildred Fenton
Fritzie Turle
Maurie Stein Orc
**606 Club**
Billy Carr
Marion Miller
Tripoli 3
Mary Grant
Boots Burns
Marne

### PHILADELPHIA

**Anchorage**
Ruby Shields
Jad Paule
Eleanor Bowers
Johnny Graff Orc
**Arcadia Int'l**
Johnny Long Orc
Diane Denise
Bob Hannon
Jack Douglas
Kmar
Don Riccardo Orc
Frankie Paine
Patsy Marr
**Bellevue-Stratford (Planet Room)**
Meyer Davis Orc
**(Burgundy Room)**
Frank Juele Orc
**Ben Franklin Hotel (Georgian Room)**
Leo Zollo Orc
**Benny the Bum's**
Deloyd McKay
Harry Dobbs Orc
Wally Wanger Girls
Ann Lester
Gene Marvey
Stanley Bros
Shirley & S Dahl
**Cedarwood Inn (Malaga, N. J.)**
Clarence Mich Orc
Dolly Nixon
Belle Rochelle
Marion Bennett
**Club 15**
Dick Thomas
Jerry Delmar Orc
Ad & Lib
Bill France
Judy Lynn
**Club Parakeet**
Cleon Barr
Lillian Stewart
Al Wilson
Maina Leonard
Kay Dixon
Dottie Bollinger
Emma Stouck
Fran Caswell
Bill Thornton Orc
**Embassy Club**
Barbara Johnson
Evelyn Kent
Helen Benton
Bert Clemoux
Cordova Sis
Pedro Blanco Orc
Cliff Hall
**Evergreen Casino**
Jack Itch
Journet & Severin
Kay King
Jimmie Kelley
Bob Coffey
Amelia Gillmore
Miller Sis
Henry May Orc
**1523 Locust**
Babette
Daisy Leighton
Ruth Martin
Kay Lavery
Ire Kay
Swing Kings Orc
Bubbles Shelby
**Hollywood Cafe**
Grace O'Hara
Billy Hays Orc
Marrone & Galle
Suez & Mein
Ambassadors Line
**Hotel Adelphia (Cafe Marguery)**
Bob Rollner
Joe Frasetto Orc
Beverly Kirk
Pierce & Harris
Serge Flash
Merl & Merl
Rosemary Deering
Don Angelino Orc
3 Danwills
Bryant, Rains & Y
**Lamb's Tavern**
Larry Mell Orc
**Little Rathskeller**
Jack Griffin Orc
Johnny & George
Nancy Lee
Palmer & Fornestra
Frances Carroll
Marty Bohn
**Palumbo's**
Bobby Morro Orc
Eddie Thomas
Lee Bartel
4 Bombshells
Buddy Lewis
Hillman Bros
Mildred Gilson
LaBrunn & Campb'l
**Rendezvous**
Les Barclay
James Negra Orc
**Russian Kretchma**
Leon Katzowsky
Lubo Wesoly
T Gorodetsky Orc
**Stamp's Cafe**
3 Dancing Darlings
LaCosta & Lolita
Billy Richmond
Vic Earlson
Pat Cranford
Jack & Johnny
Irving Bruslow Orc
**Silver Lake Inn (Clementon)**
Bill Honey Orc
Leonards
Ruthania & Malc'm
Frank McCormick
Ruth Kidd
**1214 Club**
Hollywood Girls
Pearl Alexander
Isabelle Itay
Eleanor Sterling
Ginger Sherry
Myrna Deane
Chick Finis Orc
**Parrish Cafe**
Ted Kinsley Orc
Arlene Batteaste
George Craft
Baby Lewis
Sammy Lewis
**Dutkin's Rathskeller**
Airway Duo
4 Blossoms
Cleta Moore
Victor Nelson Orc
Frank Ponti
**21 Club**
Catherine Hoyt
Mimi Rollins
Elaine Martin
Jerry Brandon
Music Weavers
**20th Century**
Bobby Bernard
Edwards Sis
Jack & A Martin
Sally Winthrop
Walter Long
Andre
Lou Longo Orc
Harold Beswick
**Walton Roof**
Belle Baker
Jeno Donath Orc
Vincent Rizzo Orc
Paul Neff Orc
Fred Keating
Readinger 2
Sydell & Spotty
Dario & Diane
Mildred Reed
Consuelo Flowerton
Agnes Tolle
**Weber's Hof Brau (Camden)**
Louis Chaikin Orc
Ray Miller
T & J Sh'ff'nh'mmer
Kahn & Pinto
Rudy Burder
Jack Moss
Semple Zintle
Int'l Instrumental 4
Sid Golden
Eldoradians
Johnny Rexola
Malva Sis
Ilse Hart
**Ubangi Club**
Doc Hyder Orc
Bobby Evans
Maude Russell
Tyler 2
Pauline Bryant
LeRoy McCoy
Dot & Dash
Blanche Saunders
Jennie Dancer
**Yorktowne Tavern**
Frank Harrigan
Frank Stuab Orc

### BOSTON

**Brown Derby**
Jimmie McHale Orc
Scott & Douglas
Rose Rayner
Mary Lou & S
Lynne Borne
Walter Donahue
Sylvia Thompson
**Club Mayfair**
Lewis Bonick Orc
Dawn & Darrow
Dick & Dot Jones
Mystics 2
Frank Hall
4 Kings
**Cocoanut Grove**
Billy Lossez Orc
Billy Payne
Chas Mazone Co 5
Park & Lane
Al Richer
**Congo**
Eddie Deas Orc
Rollins & Rollins
Sweety Pie
Graves
Sally Vine
Buddy Lewis
Rose Chapman
**Famous Door**
Herbert Marsh Orc
Alice St John
Ruth Colburn
Norma Mitchell
Walter Cole
Johnny Cawthorn
**Hotel Bradford (Penthouse)**
Frankie Ward Orc
Carmen Trudeau
Muriel Page
Medisca & Michael
Sherman & McVey
Lawrence Spartan
**Hotel Copley Plaza (Sheraton Room)**
Irwin Gilbert Orc
**Hotel Copley Plaza (Merry-Go-Round)**
Jimmy Avalone Or
**Hotel Copley Square**
Vin Vincent Orc
Dan Sweeney
Helena Carish
**Hotel Moorland**
Bob Hardy Orc
**Hotel Statler (Terrace Room)**
Nye Mayhew Orc
Linda Keene
Buddy Welcome
**(Cafe Rouge)**
S Cavicchio Orc
**Hotel Westminster (Blue Room)**
Dick Stutz Orc
Honey Murray
Rose Rolland
Tom Hardy
Leo & Rita
**Levaggi's**
Chick Webb Orc
Ella Fitzgerald
**Normandie Ballr'm**
Lawrence Welk Orc
Jerry Burk
Walter Bloom
Kirby Brooks
**Seville**
Don Rico Orc
**Southland**
Lawrence Welk Orc
Jerry Burke
Walter Bloom
Kirby Brooks
**Steuben's**
Jack Fisher Orc
Janet Carol
Chadwicks 3
Kane Bros
Finney & Rogers
Marie King
**Towne Club**
Vaughn Monroe Or
**Tremont Plaza**
Gene Nickerson Or

### PITTSBURGH

**Bill Green's**
Leighton Noble Orc
Edith Caldwell
Chick Floyd
Johnny McAfee
**Harlem Casino**
Jimmy Wadkins Or
Rhythm Pals
Larry Steele
Helen Wiles
Davis & Davis
Sparkplug Geor
Julia Hunter
8 Harlemettes
Lillian Young
Connie Berry
**Hotel Henry**
Ralph Harrison Orc
**Hotel Roosevelt**
Buddy Russell 3
**Hotel Schenley**
Howdy Baum Orc
Freda Lazier
Buzz Aston
**Hotel Webster Hall**
Major Olmes Orc
Helen Martin
Johnny Duffy
**Hotel William Penn (Grill)**
Lawrence Welk Orc
Lois Best
Kirby Brook
Walter Bloom
**(Continental Bar)**
3 Guardsmen
**Italian Gardens**
Etzi Covato Orc
Carmen
Glenn Harding
Wayne & Roberta
**New Penn**
Joe Haymes Orc
Honey Burns
Joe Rogers
**Nixon Cafe**
Fran Eichler Orc
Bob Carter
The Great Huber
Nelson's Cats
Webb Bros & L
Joan & Betty Lee
Irving Ross
Angelo Di Palma
**Nut Club**
Bill Rector
Daffydills
Al Gault
**Pines**
Brad Hunt Orc
Ray & Marie
**Plaza Cafe**
Jimmy Peyton Orc
Adele Curtiss
2 Johnsons
Kay & Kay
Joe Thomas
**Show Boat**
Al Marsico Orc
DeHenry & G'rg'ne
Chick Kemble
Betty Jerome
Wayne Vargason
Wilma Douglas
5 Palmer Girls
**Windmill**
Lenny Hahn Orc
Jack Peck Revue

### DETROIT

**Book-Cadillac Hotel (Book Casino)**
Johnny Hamp Orc
Crawfor & Caskey
Jane Whitney
John Campbell
**(Motor Bar)**
Peter Kent Orc
Connie Gates
**Commodore Club**
Chaz Chase
Bobby Edwards
Sammy Dibert Orc
Madelyn Baker
Don Arden
Commodorables 6
**Club 29**
Orlenia
Betty Coeds 6
Lenora Ricco
Josephine Campbell
Charlan & Ardyth
Frank Rupp Orc
**Detroit A. C.**
Bob Chester Orc
Jacki Fisher
Pat Nason
Arny Curvall
**Hotel Statler (Terrace Room)**
Jack Marshard Orc
Vaughan Munroe
Jeanne & Gower
Jack Berry
**Northwood Inn**
Ray Carlin Orc
La Rue Parker
Monty Wysong
Jimmie Parrish
Eddie Noll
Marian Nolan
Ruth Dennen
**Powatan**
Suni Shaw
Johnny Howard
3 Orchids
De Bold 2
Warren & Bodie
4 Debutantes
Music Masters Orc
**Plantation**
Bill Walker
Edith Wilson
Swan & L
Phil Jackson
Lula Maye
Gladys
Cecil Lee Orc
**Saks**
Les Backer Orc
Viscounts 3
Ramon & Florine
Arlene Whitney
Joan Hope
**Ten-Forty Club**
Natalie & Howard
Adorables (6)
Pinky Tracy
Barbara Mays
Jimmy Nolan
Boris Romanoff
Coyle McKay Orc
**Webster Hall (Cocktail Grill)**
Art Mooney Orc
Charles Auid
Al Nally
Bill Baird
Frances Wiler
Betty Stevenson

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## Indpls. Cafe Ops Robbed Of $300 by Auto Gunman

Indianapolis, April 5.

Gunmen robbed Harold Cork and his wife, operators of Sky Harbor, nitery near the Municipal Airport, of $300 last week after they had trailed the pair to their home.

Cork had put his car in the garage when the gunmen appeared, bound him [illegible] his wife, and made their getaway in a stolen car. State Police caught up with the bandits and wrecked their auto with rifle shots, but they escaped [illegible] foot.

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## CLEVE'S ADVANCE DATES

Cleveland, April 5.

Date of Major Bowes, Collegiate unit was advanced to Friday (8) by RKO Palace to replace the ailing Shep Fields. Easter Week brings Fred Waring, followed by Borrah Minevitch's harmonica [illegible] and Judy Canova, then Wayne King, April 29, with Guy Lombardo for May 6.

Latter was No. 1 choice in theatre's last monthly band poll.

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## CHI CAFE'S ICE SHOW

Chicago, April 5.

College Inn, Hotel Sherman, to return to ice floor show May 15 for the summer.

Frank Bering scouting for skaters.

# Arthur Byron Regular Nominee For Equity Prez; Salary Issue Up Again

Arthur Byron, as president, and Bert Lytell, first vice-president, were named Monday (4) as the selections of Equity's nomination committee to head the regular ticket. Both are believed to be of Equity's conservative element, but it is not indicated as yet whether an opposition ticket will be placed in the field. Annual meeting and election will be held May 27.

Although the council is on record as favoring a non-paid president, that is not a closed issue. Pointed out that at the recent quarterly meeting a motion was made favoring a salary for the post. Another motion to table the resolution was made and carried.

Claimed, however, that through the confusion at the session the members were not aware of the tabling action and that the preponderant assent was supposed to be ayes in favor of pay. Estimated that around 80% of those voting were in the affirmative.

**Dullzell Declines**

Petition asking Paul Dullzell to become a candidate for the presidency was started last week. He asked that it be dropped, explaining that he does not wish to run for the office for several reasons, one of which is his physical condition. Stated he prefers to remain as treasurer, which he was elected last summer for a three-year period. Dullzell is also executive-secretary.

Byron and Lytell are popular legiters, with the latter devoting much of his time to radio during the current season. He was formerly on the council. Byron is third vice-president. Factor in their selection is that while both are rated as tending toward conservatism, each is figured to have the confidence of a large following. Also thought likely they will both have support among Coast members.

Committee nominations for the council include Lee Baker, Alfred Kappler, Hugh Rennie, Joseph Vitalie, Eric Dresser, Katherine Warren, Winifred Lenihan, Broderick Crawford, Earle Larimore, Hugh Cameron. Replacements for one year: Ruth Hammond and John Lorenz.

Unless there is an independent ticket, Burgess Meredith, present acting-president, will not be a candidate for either president or first vice-president, which posts lie temporarily holds.

## The Players' Coast Fete

Coast members of The Players commemorated the 50th anniversary of the organization founded by Edwin Booth with a banquet at the Bel Air Country Club, Hollywood, last week (Tuesday).

Robert Montgomery emceed, with speakers including Charles Coburn, Robert Wildhack, Gene Lockart, Walter Byron, Howard Lindsay and Joe Cunningham. Kenneth MacGowan chairmaned the event.

## 2 CLERIC PLAYS IN RED $175,000

Closing of 'Father Malachy's Miracle' last Saturday (2) in Chicago represented an estimated loss of $75,000. It was one of several failures which had minister leading parts. Another of the clerical 'cycle' was 'Many Mansions,' said to have ended $100,000 or more in the red.

'Barchester Towers' had its quota of ministers and likewise could not secure the nod of favor. 'Journeyman,' with its bad man parson, was also unsuccessful.

Only ministerial click of the season is 'Shadow and Substance,' an import which is turning excellent weekly profits at the Golden, N. Y.

'Malachy' represented the most costly venture of Delos Chappell, Denver socialite-producer. It meant trouble for the showman from the time it went into rehearsal. He abandoned it during that period, but later took it up again. That cost Chappell $15,000 or more. Engagement at the St. James was accompanied by seemingly fair takings, but the operating nut was too high. Mixup at the time it was proposed moving to the Guild resulted in the house conceding a larger share of the backstage expense, but business for the most part was under an even break.

'Mansions' opened at the Biltmore, where it guaranteed the house and the same arrangement was figured when it moved to the 44th Street. Doubtful if that drama turned an operating profit for more than a few weeks of its run. Show had the backing of Dorothy Willard. It was her first Broadway venture. 'Barchester Towers' was presented by Guthrie McClintic, who yanked the play before an agency buy expired. 'Journeyman' was presented by Sam Byrd, actor in 'Mice and Men.' It was his second production effort, the first having been 'White Man' two seasons ago. Byrd withdrew further backing after the first week after which Erskine Caldwell, the author, and Margaret Bourke-White, commercial photographer, put in fresh coin.

'Shadow and Substance' is presented by Eddie Dowling, with Lee Shubert having a 50% interest. In addition to being a managerial winner, it is lifting its author, Vincent Paul Carroll, a lowly-paid Irish school teacher, to affluence. Carroll, visiting New York for the first time, recently said he would keep his teaching job in Edinburgh.

## GREENWALD OF 'ABIE' DIES ON COAST STAGE

Los Angeles, April 5.

Joseph Greenwald, 60, legit actor, died suddenly in Santa Barbara, April 1. End came on the stage of the Lobero theatre during the first act of the opening performance of Homer Curren's Coast production of 'Golden Boy.' Greenwald was playing the role of Francis Lederer's father. He had just concluded his line, 'this is the moment for which I have waited,' when he collapsed. Curtain was dropped and money refunded.

Deceased entered show business as a call boy at the Thalia, New York, and remained for several years as an actor. Later he joined a repertory company, and then toured in vaude as a comedian. He played the part of Solomon Levy in 'Abie's Irish Rose' on the road, going abroad with the company. He remained in London with that and other plays until 1931, when he returned to the U. S. Among his later assignments were parts in 'The Camels Are Coming,' 'Bulls, Bears and Asses,' 'Keeping Expenses Down,' 'The Great Magoo,' 'Anybody's Game,' 'Spring Song,' 'The Eldest,' 'The Postman Always Rings Twice,' 'Forbidden Melody' and 'The Meal Ticket.' He also was in 'Tobacco Road' for a time.

He was married to Lonnie Nace.

**Cobb's 'Boy' Replacement**

Los Angeles, April 5.

Lee Cobb planed here from New York over the weekend to step into the cast of Homer Curren's Coast legit, 'Golden Boy,' replacing Joseph Greenwald.

'Boy' was scheduled to open a run at the Curran theatre, San Francisco, last night (Monday), but will not do so until a week later.

## Plaster 'Ashkenazi' With Seizure in Montreal

Montreal, April 5.

Theatrical equipment used in the presentation of 'Brothers Ashkenazi' at His Majesty's here was seized before judgment March 20. Would have held up production that week in Toronto, but eventually the show was allowed to proceed in time for the opening. Seizure was withdrawn last Wednesday (30) the Superior Court. Incident was part of an action for $5,000 by Louis Schochat and Louis Sirken against Maurice Schwartz, producer, and Edwin A. Relkin, manager, and this action will continue in due course.

'Brothers Ashkenazi,' Yiddish play, ran four nights in Montreal on percentage basis and grossed hardly enough to pay the actors.

## Current Road Shows

**Week of April 4**

**Abbey Players,** Biltmore, Los Angeles.

**'Brother Rat,'** Cass, Detroit.

**'Children's Hour,'** Shubert, Newark.

**'Ethan Frome'** (Walter Hampden), St. Paul Aude, St. Paul, (4); Parkway, Madison (5); Davidson, Milwaukee (6-9).

**'Golden Boy,'** Curran, San Francisco.

**'Julius Caesar,'** American, St. Louis.

**'Mulatto,'** Werba, Brooklyn.

**'Room Service,'** Locust, Philadelphia.

**'Room Service,'** Selwyn, Chicago.

**'Tobacco Road,'** Embassy, Rochester.

**'Victoria Regina'** (Helen Hayes), Majestic, Houston, (4-5); Texas, San Antonio (6); Paramount, Austin (7); Baylor Aude, Waco, (8); Majestic, Ft. Worth (9).

**'Women,'** Ford's, Baltimore.

**'What a Life,'** Maryland, Baltimore.

**'Yes, My Darling Daughter,'** (Lucille Watson), Royal Alexandra, Toronto, Can.

**'Yes, My Darling Daughter'** (Florence Reed), Erlanger, Buffalo (4-6); Masonic Aude, Rochester (7); Capitol, Albany (8-9).

**'You Can't Take It With You,'** Geary, San Francisco.

**'You Can't Take It With You,'** National, Washington.

**'You Can't Take It With You,'** His Majesty' , Montreal.

**'You Never Know,'**—Forrest, Philadelphia.

## T. A.'S SINGLE BENEFIT PLAN

Alan Corelli, executive secretary of the N. Y. Theatre Authority, goes before his board tomorrow (Thursday) to propose consolidation of all theatrical benefits into one monster annual affair. If the plan goes through the show would likely be at Madison Square Garden, N. Y.

Instead of each of the various charities holding its own small theatre benefits, etc. Corelli's idea is to combine the Actor's Fund, Stage Relief Fund and similars into one, with the coin to be split among all. Figures it would partly relieve actors of the strain of hitting too many cuffo performances.

## BEGGARS, KID HOOFERS CHASED FROM B'WAY

Virtual elimination of begging, kid hoofers and similar nuisances in the Broadway amusement zone is credited to the tightening up of policing. Practices were particularly annoying at intermission time around legit theatres. About 50 arrests and convictions have been obtained so far this season, whereas formerly the magistrates were lenient and cops were wary about taking in offenders. Punishment from five days to six months has been meted out.

Alan Corelli, of the Theatre Authority, pushed the campaign on behalf of the League of New York Theatres and the matter was placed before Mayor La Guardia. Those responsible for the cleanup included Deputy Police Commissioner John H. Harris, the Juvenile Aid Bureau, Chief Magistrate Jacob Schurman and Capt. Martin Brown, in charge of the West 47th St. police station.

## Cochran's Revue Plans For Hylton-Lillie Off

London, March 28.

Charles Cochran's deal with Jack Hylton to star a revue with Beatrice Lillie and Flanagan and Allen has fallen through. General Theatres Corp. claims priority on the bandleader's services and has lined up several weeks' bookings for him.

Cochran is not even certain about the Lyceum theatre, which he was negotiating to lease for the show. Lee Ephraim is negotiating with the management of the theatre to bring in 'Venus in Silk,' the Carl Brisson musical now touring the sticks.

## 'Cairo' in Hub Preem

Preem of 'The Man from Cairo,' Michael Todd's production of a play by Dan Goldberg, has been switched from Chicago to the Wilbur, Boston. Date is April 18 and the tryout scheduled to run two weeks.

Show is in rehearsal under the direction of Harry Wagstaff Gribble. Cast so far includes Joseph Buloff, Helen Chandler, A. J. Herbert and Geraldine Kaye, with Viola Roache also a possibility. New York opening date has not been set. Goldberg is a member of VARIETY'S staff in Chicago.

## GERMAN WHITE RATS DISBAND

German White Rats, an old union within the Associated Actors and Artistes of America, is turning back its charter. There about 80 members who will be absorbed by other unions. Ten go into Equity and most of the others join the American Federation of Actors. Rats as an organization has been inactive for some time and continuance was figured unnecessary, since AFA is now covering the vaudeville field.

Those joining Equity will be admitted without the payment of an initiation fee, but will be rated as junior members. Under the rules players must have 50 weeks of legit appearances, but such engagements by the Rats are not definite and their ultimate standing will be adjusted later.

## 'Schoolhouse' Take Light For Sunday Night Show; May Shift to Afternoon

Last Sunday night's (3) performance of 'Schoolhouse on the Lot,' at the Ritz, N. Y., the first under the new schedule of Sabbath showings in place of the regular Monday night performance, was lightly attended. Gross of around $500 did not cover the added operating expense of the one-eighth salary increase for the actors and the backstage boost.

Number of patrons sought matinee tickets in the belief the performance was to be held in the afternoon. Philip Dunning, who is presenting the show, is therefore considering switching the Sunday show ahead to that time. Inquiry among those who attended the p.m. showing indicated that most reside in the suburbs and visit Manhattan only on Sundays.

Last season when The Eternal Road' was granted Sunday concessions (no extra pay) by the stage unions the Sabbath afternoon performances proved much stronger than the evening showings and the latter were dropped. Afternoons for 'Jumbo' similarly were much better attended than the evenings.

## Pitt Playhouse Actor To Norway Nat'l Theatre

Pittsburgh, April 5.

Georg Luddeckens, young Norwegian actor playing the lead in 'Autumn Crocus' at the Playhouse here, will sail late this month to fill an engagement with the National Theatre of Norway. Luddeckens came here year and a half ago to study drama at Carnegie Tech and appeared in an earlier Playhouse production last fall, 'Pursuit of Happiness,' in which he played the lead.

Actor, who is 23, is the son of Aud Egede-Nissen, leading lady in Norway's National theatre, and Georg Alexander, well known German screen actor. Luddeckens intends to brush up on his English abroad and expects to return to this country in a year to try his luck on Broadway and in Hollywood.

# Brokers Huddle to Map Defense Vs. Equity-League Ticket Control

Proposed plan for the League of N. Y. Theatres to formulate a ticket code for next season caused a stir last week in agency circles. Brokers quickly went into a huddle, with the idea of preparing themselves against having some deal sprung on them.

Idea of the proposed plan for the producers to secure a basic agreement with Actors Equity Assn. under which the latter would make no policy changes for a period of a year. Association has taken the stand that high prices of tickets has been jurious to show business and that the producers can control the situation. Latter figure that while cess prices for smash hits may not be entirely eliminated, a certain percentage of ticket sales can be controlled.

That should come with dropping the practice of buys because brokers then would be unable to alibi excess charges to balance losses on non-returnable tickets. What is regarded as equally important, if not more , is the possible betterment of distribution. Showmen say there are too many so-called agencies and that by reducing the number more accurate information could be obtained as to where wanted but sold tickets were being held.

Proposal to reduce the number of agencies is what brought the ticket people together. Some offices of average activity figured that the managers planned to use only the several big agencies. Managers said that the code would not be that drastic, but that a more orderly handling of premium ticket-selling spots would be one objective.

When the brokers talked it over the claim of managers that there are too many speculators in the field seemed to be substantiated. Shown that six clerks in agency alone had quit from time to time, each taking with him six to a dozen customers whose ticket wants they handle, principally by telephone. Same contention was made when the league's abortive control system was tried several years ago.

One solution, so far as the ticket people goes, is for the smaller sellers to get together and conduct an agency along cooperative lines. At this time it is necessary for one agency to telephone any number of places in attempting to locate tickets virtually hidden by the little fellows. By concentrating the agency supply in some measure there would be more efficient and faster distribution.

Stated by the league that around 40 manager-members had answered the mail poll favoring a ticket code. Several leading producers have not responded, for one reason or another, some being out of the city, it was stated. Claimed that most of those missing had subscribed to the original proposal to Equity for preferential contract, which was rejected, and they therefore should have no reason for not coming for the alternate plan.

There is little doubt that the inclusion of Equity in the proposition dealing with the ticket situation has added to its import. Equity, however, appears to be wary about entering into any deal with the managers unless all leading producers are participants. One or two have not been interested in the league's activities, despite the fact that it had acted for most of the managers.

Proposed code would provide for a specific percentage of tickets being kept on sale at the boxoffices, as intended by the NRA legit code, which the new arrangement will follow in essentials.

Managers appear to feel that the matter of boxoffice gratuities has been over-emphasized and is less important than the distribution problem. They indicate that the practice in moderation is not really contributary to high prices.

## Abbey Players Back Home

Hollywood, April 5.

Abbey Players are cutting short their American tour, returning to Ireland for the festival in July.

Pending picture commitments for troupe in abeyance until their return here in September.

# WPA INVADES BROADWAY

## Equity-WPA Settle Differences; Promise No More Actor Transfers

Tension between Actors' Equity Assn. and the WPA theatre project in New York has relaxed considerably following a session last week between the relief theatre heads and association representatives. Latter was reported assured there will be no more transfers of actors to other projects which call for work to which actors are not accustomed and which pay a smaller security wage.

Council had been thoroughly aroused over the WPA move, on the ground that the procedure was unfair. With Equity prepared to go beyond the limits of previous protests over WPA matters, it developed that there were fewer transfers actually made than ordered and that some would probably be rescinded. Understood that the shifts will remain as is if the reasons for them are proven at a showdown session with the committee.

Seven out of the 27 Equityites transferred were 'for cause.' Indicated that four are reasonably sure of reinstatement and the other three cases may be favorably disposed of. Other 20 on the list will remain on the theatre project.

Stated by WPA-ers that most of the shifts were made because of incompetence, but the committee has demanded proof that such is a fact. Other reasons possibly include insubordination and drunkenness, but it is believed that such cases are infrequent. Indicated that the Equity committee will not be satisfied with hearsay evidence on such charges.

Conference was expected to be a scrappy session, but the WPA heads showed they were in a mood to adjust the differences. Word that the WPA theatre project will soon take on 300 more actors also helped relieve the tension, particularly on the part of the project people.

Transfer list included more than 100 names, but whether other stage union members will benefit was not made clear. Since the arts projects provided higher security wages than the straight work relief jobs, it is expected that further protests by other union heads will follow. Known that the scenic artists union has already filed objection and that protest may be disposed of this week.

Scenic union is contesting the right of the project heads to transfer its people, whether they are considered good artists or not. Argument is that the project is primarily for relief rather than efficiency. Those on the Federal side have different views on the matter.

Equity meeting was with George Kondolf, head of WPA theatre production in New York. Paul Edwards, administrator, and several department heads, including H. W. Robinson, director of personnel, and James R. Ullman were also in attendance. Actors' committee was headed by Burgess Meredith.

## Hedgerow Opens Season; Adds New Theatre Wing

Philadelphia, April 5.

Hedgerow Theatre in Moylan-Rose Valley, Pa., will celebrate its 15th birthday April 21 with a performance of Shaw's 'Candida,' with which it opened the playhouse in 1923. Theatre's 1938 season will actually open this Saturday (9) when 'The Emperor Jones' will be offered. From then on, until the official birthday celebration with 'Candida,' plays will be given the last three days of each week. Next original play to be added to Hedgerow's extensive repertoire will be 'The Fredi,' by L. D. Kennedy, skedded for May 2.

While Hedgerow has been closed this winter, a new wing has been added to the building and two double-level Shakespearean doorways have been constructed. Wing will increase the off-stage space by several times. Policy and scale of Hedgerow will remain the same, although the personnel of the company has greatly changed in the last few seasons.

### Talent, Plus $350

Among the groups seeking to uncover dramatic talent for legit is the Students Stage Guild, of which Lee Shubert, Eddie Dowling and Max Marcin comprise the executive committee. Organization plans to produce 14 plays during 26 weeks beginning June 1. Members taking the full course will appear in at least four plays. Fee for the six months' course is $350, or members may pay $75 month for single appearances.

Unknowns should have 'recognizable talent, vivid personality or arresting individuality.'

## LITTLE THEATRE RULE PUSHED BY EQUITY

Regulation of little theatres, particularly those in Californi by Equity in association with the Screen Actors Guild and American Federation of Radio Artists, will be continued along the lines followed during the winter. Rules were operative over a three-month period and will hold for at least that much longer. Termination will be agreed on only after 60 days notice.

It is Equity' plan to hold a string on the situation. Rules were framed because of a growing practice of professionals appearing with amateur groups without pay upon vague promises of little theatre operators. Some who wer ostensibly paid, kicked back part or all.

There are specified requirements under which little theatres may be legitimately identified such. They are supposed to recognize Equity's jurisdiction over one [illegible] more professionals whom they may use. Junior members of SAG or people in AFRA earning not more than $2,000 per year, need not be Equityites.

However, such players are required to secure permit cards at a cost of $10, that payment to be applied as part of the initiation fee if they join Equity. Amateurs in little theatre groups are supposed to obtain working permits which cost $5 and are good for one show, additional shows costing $1 each. Fees become higher should amateurs continue working with pros during the second year and if so doing beyond a third year, must join some branch of the Associated Actors and Artists of America, parent union of performer groups. Equity people used must be paid at least $40 weekly and those detected rebating are subject to discipline.

## High Cost May Delay Work on St. Loo Muni

St. Louis, April

High construction estimates, made by all 34 bidders for improvements in the al fresco theatre in Forest Park, may cause postponement of the work until another season. Directors of the Municipal Theatre Assn. who have planned to let contracts for 42% of the work this year were surprised when the lowest bid, $88,556, was $33,556 above their own estimate.

Expected cost of the entire improvement was $100,000.

### WAR PLAY SOLD

Hollywood, April 5.

Joseph Schrank and Nathaniel West have sold their stage play, 'Gentlemen, the War,' to Jerome Mayer.

Latter plans to give it a Broadway production.

## RENTS ST. JAMES; LEGIT OPPOSISH

### League of N. Y. Theatres Meets to Consider Situash—Project Had Agreed to Stay Out of Times Square, but Previously Used Biltmore and 49th Street—Boris Said May Not Renew Lease Next Season

### STAGEHANDS ANGLE

Renting of the St. James, N. Y., by the WPA theatre project for a limited term aroused queries in show business over an agreement with the managers that relief attractions not invade the theatre zone. There was also a report that Boris Said, who has been operating the house and the 44th Street, would not renew the leases which expire Sept. 1. At that time both spots would revert to Vincent Astor, if another tenant not secured.

Board of the League of N. Y. Theatres was called together to consider ways to settle the issue of the relief stage entering into direct competition with the commercial theatre. With WPA expected to continue to June, 1939, at least, and with added appropriation of money, it may develop into a serious situation for show business, according to some managers. Project heads make no secret of plans for producing more ambitious presentations, their views being bolstered by the favorable press accorded recent WPA shows.

WPA shows at 55c. top were not figured opposition to legit, but scale trend for the relief shows is in and $1.10 top is in force. Most legiters are $3.30 top, though several are lower.

**Deckhand Scale**

When WPA first sought theatres directly in the Broadway list, stagehands nixed the idea by demanding the regular union scale. That was a barrier for the relief people, since the top security wage is the maximum allowed. Early this week James Brennan, of the union, stated that many people were used in WPA shows such as planned for the St. James that an exception would be made. If the stagehands decide the union scale must apply, however, it would stop WPA using the house.

WPA people said their understanding of the matter was that the project could obtain legit theatre in the Times Square district and pointed out that it had the Biltmore and more recently the 49th Street. Latter is regarded as having limited usage for shows, while the former, when used by the WPA's 'Living Newspaper,' offered what were considered playlets. They do not consider the Elliott ('Prologue to Glory') and Adelphi ('One Third of a Nation') as being the theatre zone proper. WPA announces 'Trojan Incident' at the St. James, with a revue, 'Sing for Your Supper,' probably following.

**Said and Dowling**

Said, who represents Russian oil interests, entered show business several years ag . Eddie Dowling was supposed to have been his associate, but it appears that the actor-manager did not figure in the lease, although tickets carried the inscription, 'Eddie Dowling's St. James.' Said and Dowling had a half interest in the 'King Richard II' engagement last season.

Previously they were concerned with others in 'Thumbs Up,' a financial bloomer, particularly for Dowling, who appeared in the revue but drew no salary. Supposed partners have not been hitting it off for some time. Recently when an attraction was billed at the St. Ja[illegible] Dowling's name removed from the

(Continued on page 50)

## TMAT Upheaval on League Pact, Vote to Cancel Vroom's Contract; Report Teamsters' Support Out

Sudden move that threatened an upheaval in the Theatrical Managers, Agents and Treasurers union occurred Monday night (4). Board of 12 directors was called together and by an eight-to-four split, voted to cancel the contract recently given Lodewick Vroom that he act as executive director with powers to make decisions and supersede the board. The issue was bitterly argued after Martin Lacey, head of the teamsters [illegible], left the si[illegible]. Lacey counselled that harmony be maintained and warned against disruption of TMAT.

Action startled members of the newly active union which had rapidly come to the fore in the eight weeks with Vroom at the helm. Teamsters' head had advised TMAT to appoint such a leader in order to get action, which proved to be correct; but rivalry between the three groups in TMAT—agents, managers and boxoffice people—is said to have caused the flare-up.

Lacey told the board that in supporting TMAT he has no personal interest but was acting for the good of the American Federation of Labor. He is reported having declared himself 'off' TMAT. It was the support of the teamsters that forced the managers to recogniz TMAT, with which the managers committee signed a basic agreement a week ago (March 29). Provisions inserted at the last minute affecting treasurers was partly the reason for the board's unlooked-for action.

**Teamsters' Support**

Teamsters had let it be known that productions would not be hauled if theatres were picketed and that was the lever that forced the managers to pay attention. Stagehands had earlier advised TMAT o its policies, but passed through picket lines several times saying they would not break contracts.

Just how the managers will regard the basic agreement when it is known that the teamsters support is out, remains to be seen. League of New York Theatres' labor committee, which acted for managers with a power of attorney, signed th agreement. It is awaiting individual signatures of the showmen, however, and the alleged breaching of Vroom's contract may affect the attitude of the managers in complying with the provisions of the new agreement.

Reported that Vroom was not officially notified of the board's action, but understood he proposed handing in his resignation as president of TMAT. That he will bow to the board, however, is not probable and it is expected that he will attempt to hold his position as executive director, a salaried post.

**B.O. Men Squawk**

Boxoffice men in TMAT are particularly concerned, agitating against the stipulation prohibiting them

(Continued on page 50)

### 'All That Glitters'

Ned Alvord, only advance agent sporting a cutaway coat, last week decided it was time to join the Theatrical Managers, Agents and Treasurers union. He called at that office and plunked down $56 for initiation and dues. When advised that the cost had been upped to $116 for several weeks, he squawked and took down the dough.

Marched out with the statement, 'That's too much coin for me to spend—I don't know when I'll get another job.'

## NEW REHEARSAL AND CHORUS SCALES

Changes in the rules covering rehearsal pay, dismissal notices, cast replacements and preview performances of legit shows and in the basic Chorus Equity production requirements were voted yesterday (Tuesday) by the Actors Equity Assn. council in New York. Permission was also granted Homer Curran to rehearse his Coast company of 'Golden Boy' an additional week without paying the regular salaries. Production was taken off last week after the death of Joseph Greenwald, member of the cast.

Rehearsal pay for all players is now to be $20 a week, with one-seventh extra for every portion of a week. Pay starts after five days for straight plays and seven days for musicals. Rehearsal pay for juniors was formerly $15 a week. Under the new rules, actors dismissed after the New York opening may not be replaced at less money except with permission of the cuts board. Nor may actors dismissed or giving notice be re-engaged at less money unless the cuts board okays it.

Preview performances immediately preceding the opening may now be credited against the two weeks minimum pay period, provided the show runs less than two weeks. If the run is two weeks or more the previews will be counted as extra performances.

Changes in the Chorus Equity rulings call for a boost in the salary minimums from $30 to $35 in New York and $35 to $40 on the road. Probationary period is reduced from seven days to three days, plus two days for auditions. However, managers may rehearse only the number of girls at time that they intend using in the production.

Chorusers, who also understudy, must be paid the regular minimum plus one-eighth. Any chorus members doing specialties or speaking lines must get the regular Equity minimum of $40. Chorus cuts or replacements at lower pay may be made only with the permission of the cuts board.

## Jewish Guild Benefit Grossed Hefty $20,000

Jewish Theatrical Guild benefit [illegible] the Imperial, N. Y., last Sunday (3) grossed almost $20,000, of which about $12,000 came from program advertising and sales.

Show was unique in its quality, with a flock of acts never called upon, because of the wealth of talent. Another odd phase [illegible] the strong window sale up to curtain time, realizing $1,500 or so, with many turned away. Scale was $1 to $10, plus $25 for patrons' seats, the first three

## J. M. Anderson Ogles Coast for Legit Revue

Hollywood, April 5.

John Murray Anderson took peek at Hollywood, his first in seven years, and then blew for San Francisco. He still likes Technicolor despite the 'Jazz King,' which brought him and Paul Whiteman out here [illegible] the first place.

Anderson has been looking the place [illegible] to [illegible] if there's a spot for the counterpart [illegible] the Ziegfeld and Greenwich Village Follies. Maybe a Hollywood Follies, not too big and not too small.

Directing grandiose things like 'Jumbo' and the Aquacade [illegible] too hard [illegible] everybody, including the public, these days, but there are plenty of spots, he believes, for the little show, but good.

# Plays Out of Town

## PICKETS, PLEASE!

(CAP AND GOWN)

Pittsburgh, April 4.

Thirty-first annual musical presented by the University of Pittsburgh Cap and Gown club; book by Nick Spanos and Robert Saffron; score, Gus A. Schnabel, John St. Peter, G. Adrian Robson, Donald Joy, Herbert Cohen, Vernon Krahl, Sidney Rolsteln, Thomas Stephenson, G. Norman Reis, Nick Spanos, Robert Saffron and Thomas Stephenson. Directed by Gene Kelly and Carl B. Cass. Technical director, James Lumsey; arrangements, Max Adkins; music director, Gus A. Schnabel. At the Nixon, Pittsburgh, week April 4.

| | |
|---|---|
| Anarchist | Ralph Myers |
| John L. Sullivan | Earl Riley |
| Prince Rodney | William Gibson |
| Billy Snirk | Jack Hoeveler |
| Dictator Bellini | Dante Dalle-Tezze |
| King Rudolph | Albert Barr |
| Asterlitz | Bernard Mayer |
| Bertie Burtz | Leo J. Cafferty |
| Admiral Schpul | Robert F. Wilhelm |
| General Boom | Lawrence Rothman |
| Pemberton | George Hartman |
| Minnie McTish | William Hoeveler |
| Julianne | William Vaughen |
| Moronian Ambassador | Jack Withum |
| Helen Green | Sam Hamilton |
| Dolly Twaddle | William Murray |
| Molly Twaddle | Sidney Shore |
| Student | George Puhl |
| Queen Hilda | Milton R. Hoffman |
| Cecil | John Werry |
| Yasha | Jerome Elsner |
| Pierre | William Rial |

Also: Donald Hensley, Robert Luskin, Karl Stark, James Berry, Nick Spanos, Robert Saffron, Carroll Dowling, Fred Kelly, Richard Darsie, George Delich.

Musical of University of Pittsburgh Cap and Gown Club is not out of that organization's upper drawer. A satire on dictators, labor organizers and other current front-page items, book is pretty weak, being international in scope, but only campus in content. Written by a couple of seniors, Nick Spanos and Robert Saffron, who turned out a pretty good college show two years ago. Perhaps they've been listening to the radio too regularly. Gags sound like it, at any rate.

Score isn't particularly distinguished, either, although two tunes, Vernon Krahl's 'I'm No Dummy' and Adrian Robson's 'Higher Than a Kite,' meet the ear pleasantly. Production is one of the most extravagant Cap and Gown has ever staged, Max Gordon lending club a lot of scenery and costumes from 'Great Waltz,' and his recent 'Save Me the Waltz,' giving the backgrounds a real Broadway richness.

Of chief interest in cast Dante Dalle-Tezze, Pitt football tackle, who plays role of Dictator Bellini, and bears striking resemblance to Mussolini. Nobody expects him to be able to act and he can't. Player standouts are Albert Barr, who is playing fourth and last Cap and Gown show; Earl Riley, Bernard Mayer and William Hoeveler.

Ensembles are ambitious and for the most part well staged by Gene Kelly, going in for eye-filling standbys, with dance specialties by Fred Kelly and Richard Darsie. *Cohen.*

## WHAT A LIFE

Princeton, April 3.

Comedy in three acts by Clifford Goldsmith; presented by George Abbott. At the McCarter, Princeton, April 2.

| | |
|---|---|
| Mr. Nelson | Arthur Pierson |
| Miss Shea | Ruth Matteson |
| Miss Pike | Edith Van Cleve |
| Patterson | William Mendrek |
| Bill | Eddie Bracken |
| Miss Eggleston | Maidel Turner |
| Miss Wheeler | Joyce Arling |
| Vecchitto | Daniel Ocko |
| Henry Aldrich | Ezra Stone |
| Barbara Pearson | Betty Field |
| Gertie | Elena Salvatore |
| Bradley | Vaughan Glaser |
| George Bigelow | James Corner |
| Mrs. Aldrich | Lea Penman |
| Ferguson | Jack Byrne |
| Mary | Butterfly McQueen |

Chalk up a winner for George Abbott. It's all about high school kids this time, but surprisingly enough the only adolescent thing about the play is the theme. It's strictly a laugh show, and anybody who's ever been to high school will enjoy himself immensely, for there's an erstwhile prototype in the audience for every one of Clifford Goldsmith's kids in 'What a Life.'

Abbott once more shows his flair for casting types. His music teacher, played by Joyce Arling, is the music teacher in every Central High School in America. So, too, is the study hall instructress, or the principal, the Roman history teacher and the president of the junior class. And when detective intrudes upon this high school menagerie, the contrast is so ridiculously funny that it adds more lustre to an already laugh-ridden show.

Writing a show about high school kids sounds like and can be pretty dull on the surface. Hence, all the more credit to Goldsmith, for there is nearly always a commanding interest in his students, whose vicissitudes ar followed with an intentness worthy of far weightier problems.

It's all about Henry Aldrich, who has an extraordinary ability to say and do the wrong things. The only son of a Phi Beta Kappa president of the Parent Teachers' Assn., with Princeton the parents' goal for him, Henry temporarily aspires to but one thing: to raise $2 to take the junior class president to the high school dance. But his general mischievousness in school contributes towards defeating ' purpose. He is later unjustly accused of stealing the school orchestra's instruments and pawning them, but things are eventually brought to a satisfactory head.

There a love interest, too, between the principal's secretary and the assistant principal, but Goldsmith never permits it to intrude on the laugh-producing qualities of the script.

Cast is uniformly fine, with Ezra Stone, as Henry, particularly impressive. Others outstanding are Vaughan Glaser, as the principal; Betty Field, as the junior class belle; Joyce Arling, as the music teacher, and Daniel Ocko, as Vecchitto, a junk dealer, who keeps his Marie from school on Thursdays so she can drive his junk wagon for him. *Rosen.*

## So Proudly We Hail

(HASTY PUDDING)

Boston, April 3.

Ninety-second annual musical presented by the Hasty Pudding Club of Harvard University. Directed by Edward Clarke Lilley. Dances, William R. Holbrook; book, Nathaniel G. Benchley, Benjamin Welles, John McD. Graham. Music, Benjamin Welles, Alan J. Lerner, Stanley Miller, J. David Lannon. Musical director, Al Zimmerman; costumes, Bettie Kern, Virginia Armstrong; settings, Alfonso Ossorio, Calvin H. Elliott, Jr. At the Copley, Boston, March 31.

| | |
|---|---|
| Kenneth Conway | Stanley Miller |
| Wellington C. Peasley | Benjamin Dillingham |
| 'Tino' Peasley | Francis Lawrence |
| Joan Peasley | Vinton Freedley, Jr. |
| Elmer Peasley | Peter Nicholas |
| Countess Marta Castelbagni | Marvin Scaife |
| Headwaiter | Henley Dillingham |
| Husbands at Frederic-Dashawe's— | David Lannon, Roger Lapham, Henley Dillingham, Augustus Soule |
| Singing Mannequin | Alan Jay Lerner |
| Benito Mussolini | William Myrick |
| Adolf Hitler | Joseph Coolidge |
| A Drunk | David Lannon |
| Newsboy at Pier 53 | Joseph Coolidge |
| London Bobbie | Roger Lapham |
| Nurse | Crocker Wight |
| Princess Elizabeth | David Rivinus |
| Dancing Waiters at Salzberg | Peter Pratt, Augustus Soule |
| Specialty Cyclist | Henry Stone |
| Seven Dwarfs of Europe— | David Lannon, Roger Lapham, Henry Stone, Henley Dillingham, Joseph Coolidge, William Myrick, John R. Brooks |
| Chorus Girls— | Robert P. Brown, August T. Crocker, Bayard H. Dillingham, Alan J. Lerner, Peter E. Pratt, Robert S. White, Crocker Wight, Frederick R. H. Witherby, John Hoar |
| Chorus Men— | John R. Brooks, Charles D. Dyer, III, Paul Glendinning, Roger D. Lapham, Jr., William V. Lidgerwood, Samuel W. Morris, Jr., Alex. W. G. de Pourtales, August W. Soule, Jr., Andrew P. Youn |

'Proudly We Hail' is one of the best of the recent Hasty Pudding shows. With a timely book, a handful of catchy tunes, several very good dance routines, some spicy specialties, this year's well-rehearsed piece moves at fast clip through Monte Carlo, New York, London, Salzburg, 'Story Book Land,' and winds up at a world's congress. A low bow goes to Edward Clarke Lilley for skillful staging.

Although the book ha a bright idea, which rather fizzles, there are enough spots to hold interest. A Cafe Society coterie rebels against the New Deal and decides to secede from the Union and set up the 'Kingdom of Cafeteria' in the nitery sector of New York. 'We'll keep the hat check concessions, then we'll be all set," they declare.

President Roosevelt, phone conversation from offstage, one of the show's best bits, gives the boys the political hotfoot, and they turn to Hitler and Mussolini for support and recognition. It seems Hitler and Mussolini have friend, a countess-spy, and they will recognize Cafeteria if she is starred as a singer at the Kingdom's headquarters, El Pogo, a nite spot. With a crisis arising, FDR cables them from Washington that they may come back into the fold.

Swift boots are aimed at dictators, diplomats, the President of the U.S., a famous couple called 'Wally and Davey' and cafe society. Women's millinery is royally lampooned in a wild style show, m.c.'d by a fluffy male, whose descriptions are even worse than the newsreel gushies.

Specialties are numerous and okay; a silhouette pantomime behind a scrim which, when viewed by the audience through blue-and-red gelatine glasses, offers some startling audioscopic effects; a skip-rope routine by David Rivinus and Peter Nicholas; a monocycle bit by Henry Stone; some very good tapping by Alan Jay Lerner, who also had a hand in the music; good song-selling by Marvin Scaife; a bright, but bitter, satire on dictators sung in parody of two tunes from 'Snow White,' and a neat duet by Roger Lapham and Crocker Wight, as a London bobby and nurse, respectively.

This year's music is consistently good, even though none is exceptional. Chapell thinks enough of 'Rainbow in the Sky,' 'Came the Dawn,' and 'Chance to Dream' to snap them up for possible commercial exploitation.

Best 'girl' in this year's version is Rivinus Princess Elizabeth, appearing in the second act; best song-seller is Scaife, as the Countess; Ben Dillingham, as a fortyish king of the Cafe clique, carries much of the book, emerging as the most competent trouper. Miller, as the handsome juve, is consistently good, as are Vinton Freedley, Jr., as the ingenue, and Francis Lawrence, as the Queen of Cafeteri .

'Hail" plays the Waldorf-Astoria, New York, Friday (8). *Fox.*

## Shows in Rehearsal

**'Private Enterprise'**—Herbert Adams.

**'Gentlemen Need a Shave'**—Pierce Power-Waters.

**'Man from Cairo'**—Michael Todd.

**'Washington Jitters'** ('Simply Henry Hogg')—Theatre Guild and Actors Rep.

**'Escape This Night'**—Robinson Smith.

**'The Circle'** (revival)—William A. Brady.

**'Merry Wives of Windsor'** (revival)—Robert Henderson and Estelle Winwood.

**'I Married an Angel'**—Dwight D. Wiman.

**'Eye on the Sparrow'**—Girvan G. Higginson.

**'The Wild Duck'** (revival)—Henry Forbes.

**'Heartbreak House'** (revival)—Mercury.

## DOWLING ADJUSTS HARDWICKE CLAIM

Understood that an adjustment has been made between Sir Cedric Hardwicke and Eddie Dowling over the star's expected share of the British rights of 'Shadow and Substance,' current hit at the Golden, N. Y. Instead of getting a piece of the English coin, Sir Hardwicke is said to be receiving a larger percentage of the gross. New arrangement applies for the balance of the Broadway engagement and for next season's tour. Agreement was made by Hardwicke with Dowling and Lee Shubert, who are 50-50 on the show.

Balance of the 'Shadow' cast have been given new contracts for the run of the play, also covering next season. In most instances salaries were increased, particularly for those who were originally engaged for the minimum ($40 weekly). However, in one instance the player was boosted $50 per week. Increases are now effective.

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# TMAT Upheaval

(Continued from page 49)

from accepting gratuities. Difficulty may be solved by an interpretation of just what constitutes such gratuities (known in the business as 'ice'). Acceptance of from ticket brokers has been one of the prerogatives of the box office since the start of modern show business.

It was when certain producers and house operators demanded $1 and $2 per tickets during the frenzied finance times of the late 1920's that objection arose that such costs tended to make high ticket prices. It was then that the government declared itself in by the imposition of a 50% tax on such coin—at the alleged instance of certain agency interests.

Inclination among producers has appeared to favor the box office if only moderate gratuities are accepted from agencies. In other words, no objection would be made unless big money were collected from the brokers. Should such interpretation be made, the problem of the treasur ' would be eliminated.

When the no-'ice' stipulation was put up to Vroom he stated the treasurers group in the union had expressed satisfaction with the minimum of $75 weekly and $50 minimum for assistants. Ruling against gratuities had been written in and apparently conceded, because the producers also agreed not to accept such coin.

### May Work Few Weeks

Boxoffice people argue that the new conditions are not to their benefit, because if they get $75 and are prohibited from taking a job in another house during the season, they may work only a few weeks in the year, and the scale would not, therefore, constitute a living wage.

Crux of the situation may be found in the apparent unilateral feature of the agreement as applied to gratuities. Understood that box office people will be subject to discipline if detected accepting such money, but similar treatment could not be applied to the producer. If no punishment is possible under the agreement, so far as the producer is concerned, the quality of the arrangement is questioned.

Known that some treasurers have been paid more than the minimum set forth in the agreement, so they are not benefited in any way and feel they will be affected adversely. Box office staffs in some theatres, said to have received $40 and $50 weekly, were those principally taken care of under the agreement. Those staffs were required to turn over all agency money and received only a small percentage their share. No squawks have been heard from the press agents, whose minimum is more than they sought before joining TMAT.

### Appointments

Four or five house managers were named to Shubert theatres formerly handled by office men. There were few actually given jobs, what with shifts of the Shubert staffs. Howard Schnebbe is manager of the Ritz, Jack Pearl going out of the latter box office to manage the Shubert; Carl Hunt was appointed company manager of 'Bachelor Born'; Frank Smith, manager of the Barrymore; Elias Weinstock, manager of the Golden; Clarence Gray out of box office of the latter house to manage the Ambassador; Edward Choate, manager of the Morosco; Mack Hilliard, manager of the Broadhurst.

Board of TMAT: John Peter Toohey, Joseph Grossman, Elise Chisholm, Louis Isaacs, Rivington Bisland, William Croucher, Joseph Silverman, James Murphy, Allen Schnebbe, Dan Slattery, George Ashby and Milton Weintraub. Present, too, were Saul Abraham, vice-president, and Jack McCarron, secretary, as non-voters on the board. Grossman, of the Yiddish group in the union, is said to have started a left wing movement within the membership.

## 'Mulberry' 3G, Newark

Newark, April 5.

'Moon Over Mulberry Street' played a return engagement at the Shubert theatre last week. Crix were not favorable. Current offering is 'The Children's Hour,' return engagement.

**Estimate for Last Week**

**'Moon Over Mulberry Street,'** Shubert (single week) (1,960; $1.65). Poor $3,000 was all this weakie could garner.

## RIB DOESN'T WORK

### Lupe Velez Thinks Photo Exchange a Nifty Idea

Lupe Velez, in Philadelphia with the legit musical, 'You Never Know,' last week received local scribes for a group interview. Having heard of her Mexican temperament, the boys plotted giving her the rib. Told about the Philly newspaper photog to whom she gave an autographed picture of herself during her last visit there. According to the story, the cameraman took the pic, which the actress had inscribed to 'the best photographer the business,' and traded it for a pint of liquor at his favorite gin mill.

Miss Velez was intrigued by the story. 'I have a trunk full of pictures back at my hotel,' she said, 'where is this place you say? Let's go there and have a party.'

## WPA Invades B'way

(Continued from page 49)

canopy at the reputed instance of Said.

St. James was built by the late A. L. Erlanger and was formerly called Erlanger's. Excessive cost of building resulted in fixed charges so high that the house could not be operated at a profit. House represents an outlay of over $1,000,000, which was raised by a bond issue, principally disposed of New Orleans. Interest the bonds was defaulted and the principal was not repaid. Property finally reverted to the Astor Estate when the ground rent was unpaid.

Estate also owns the ground upon which the 44th Street stands and secured possession in virtually the same way. House was formerly a Shubert property, but possession was lost during the firm's receivership. Property also includes a roof theatre (Bayes) and part of the basement was formerly a night spot, known as the Little Club.

## Shows Out

'The Star Wagon' leaves the Empire, N. Y., for the road this Saturday (9) after 28 weeks, virtually a season's stay. It was the first success of the 1937-38 season.

**STAR WAGON**

**Opened Sept. 29, 1937. Critics were split in their opinions. Lockridge (Sun), termed it a fascinating excursion into fantasy. Anderson (Journal), 'Shows none of the muscular brainwork that is a trademark of the Maxwell Anderson product.' Variety (Ibee), 'Should register fairly well.'**

'Three Waltzes' withdraws from the Majestic, N. Y., this Saturday (9) after a run of 15 weeks. Operetta did moderate business throughout, aided by an agency buy during the early weeks. Doubtful of having turned a profit.

**THREE WALTZES**

**Opened Dec. 25, 1937. Only a few dissensions showed for this; majority in favor. Coleman (Mirror) said it was not his idea of an evening's entertainment, but conceded that there an audience for it in New York. Whipple (World-Tele), found it pleasant and diverting. Variety (Hobe), 'Chances seem pretty good.'**

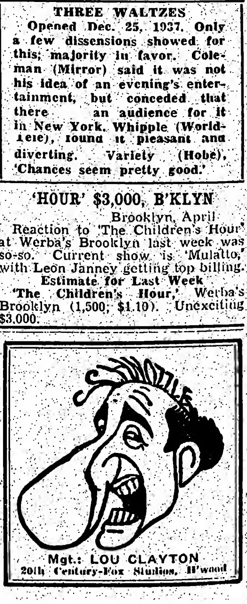
## 'HOUR' $3,000, B'KLYN

Brooklyn, April

Reaction to 'The Children's Hour' at Werba's Brooklyn last week was so-so. Current show is 'Mulatto,' with Leon Janney getting top billing.

**Estimate for Last Week**

**'The Children's Hour,'** Werba's Brooklyn (1,500; $1.10). Unexciting $3,000.


Mgt.: LOU CLAYTON
20th Century-Fox Studios, H'wood

# 'Caesar' 8G, 'Malachy' 5G, Quit Chi; Only 'Room Service' Sticks, $8,500

Chicago, April 5.

Loop slips to a single show this week with only 'Room Service' lighted to keep the town theatre-conscious. Both 'Julius Caesar' and 'Father Malachy's Miracle' quit, the Shakespearean piece moving to St. Louis, while the comedy folded and returned to New York.

'Caesar' went four weeks, two under American Theatre Society auspices. Got no big money at any time. 'Miracle' went three weeks, also with a fortnight of ATS backing. This show, too, never got into the strong coin.

Yiddish 'Brothers Ashkenazi' is winding up a fortnight in the Studebaker this Saturday (9), and a brutal fortnight it's turning out to be. Initial week was a pretty sad session and the finale looks no happier. Unquestionably the best bet of the loop is 'Room Service,' which is going along to mild profit its seventh week.

'Star Wagon' arrives at the Grand next Tuesday (12) for a three-weeker, to be followed on May 1 by 'You Never Know.' Other houses are doubtful of future bookings.

**Estimates for Last Week**

**'Father Malachy's Miracle,'** Harris (3d-final week) (1,000; $2.75). Folded after three sad weeks here; hardly $5,000 last week as final session.

**'Julius Caesar,'** Erlanger (4th-final week) (1,400; $2.75). Quit Chi after four mild sessions; couldn't get going and off to the American, St. Louis; finished to $8,000.

**'Room Service,'** Selwyn (6th week) (1,000; $2.75). So-so $8,500 in the face of Lenten and general slump.

**Added**

**'Brothers Ashkenazi,'** Studebaker (1st week) (1,400; $2.75). Finishing Saturday (9) after two weeks; last week was disappointer at less than $4,000.

**WPA**

**'Great Barrington,'** Blackstone. Quitting shortly.

## 'CAN'T TAKE IT' $16,000; SET FOR FRISCO RUN

San Francisco, April 5.

'You Can't Take It With You' is getting nice audience reaction at the Geary theatre. Local crix also have been generous. Engagement looks set for at least five weeks, with business surpassing that done by 'The Women' recently. 'Golden Boy,' with Francis Lederer, Louis Calhern, Betty Furness, was set to open at the Curran last night (Monday) but has been postponed to next Monday (11) due to the death of Joseph Greenwald, of the cast.

**Estimates for Last Week**

**'You Can't Take It With You,'** Geary (1st week) (1,550; $2.75). Playing extra performance Sunday night; first week nabbed $16,000, hefty biz these days.

**'Me, Third,'** Alcazar (2d week) (1,269; $1.10). Matinee performance of 'Pinocchio' Saturdays for moppets. Considering weather and general letdown in biz, comedy is holding up fairly well.

## Cornelia Otis Skinner 7 Performances, $8,000

In four stands last week Cornelia Otis Skinner rolled up a total gross of almost $8,000 for seven performances of her one-woman drama, 'Edna His Wife.' Drew about $1,700 for a single performance in Buffalo last Monday (28), $2,100 for a single showing (Wednesday (30) in Hartford, $2,000 for two performances Thursday (31) in Providence, and around $2,000 for three performances Friday and Saturday (1-2) in New Haven.

New Haven, April 5.

Cornelia Otis Skinner's 'Edna His Wife' relighted the Shubert after a dark spell. Three performance week end (1-2) drew about $3,000. Business was off somewhat, due to vacation period at Yale.

Bookings set for the Shubert this month include 'I Married an Angel,' due April 14-16, and a week end of 'Yes, My Darling Daughter,' in for April 21-23.

Buffalo, April 5.

Cornelia Otis Skinner, in for a single performance Monday night (28) of 'Edna His Wife,' at State Teachers College, drew a fair $1,700.

### 'TAKE' 7½G, TORONTO

Toronto, April 5.

Touring company of 'You Can't Take It with You' clicked again here last week in a repeat date, winding up with $7,500 for the stanza at the Royal Alexandra theatre.

Comedy moved on to His Majesty's, Montreal, for this week.

## Road Legit Grosses

**Estimated total grosses last week**........$214,900
*(Based on 19 Shows)*
**Total grosses same week last year**........$219,000
*(Based on 15 Shows)*

## 'WOMEN' SOCK $20,500; PITT'S LONG SEASON

Pittsburgh, April 5.

'Women' was sharp click last week at the Nixon, running just behind 'Victoria Regina' and 'You Can't Take It With You' for the season's top coin. House has the Univ. of Pittsburgh annual musical, 'Pickets, Please,' this week. Then it is booked solid through the week of May 9.

After starving for musicals all season, Nixon will get an epidemic of them for the windup, three coming in within a space of four weeks. Town hasn't had a tune show since the return engagement of 'Great Waltz' in March, 1937, and the first of the trio set to finish off the year is 'You Never Know,' which comes in Easter Week, April 18. This will be followed May 2 by 'Three Waltzes' and May 9 by the new Rodgers and Hart piece, 'I Married An Angel.' House will have had 31 lighted weeks for the season, the highest figure in years.

In addition, Pittsburgh Playhouse will close its 1937-38 list with an original revue, 'Hold Your Hats,' opening April 19 for month's run. Book and score both by Charles Gaynor, with Frederick Burleigh directing.

**Estimate for Last Week**

**'The Women,'** Nixon (2,100; $2.75). Max Gordon show went over big, knocking down close to $20,500 and could have stayed; didn't get away very fast, but by midweek had hit SRO and stayed that way to the finish.

## HELEN HAYES' $41,500 WEEK

New Orleans, April 5.

Helen Hayes continued her regal tour in 'Victoria Regina' last week, cleaning up the boxoffice here to tally total gross of about $41,500 on the week. Stanza included performances at the Auditorium, Memphis, last Monday and Tuesday (28-29); Ryman auditorium, Nashville, Wednesday (30); the Temple, Birmingham, Thursday (31), and Concert Hall her Friday and Saturday (1-2).

Star and her troupe moved on for more jumps through Texas this week.

San Antonio, April 5.

Texas theatre here is sold out solid for Helen Hayes in a 'Victoria Regina' one-nighter tomorrow (Wednesday). Real b.o. wallop for this usually apathetic town.

Estimated $6,000 house at 2,736 capacity and $3.60 top) even tops Miss Hayes' 'Mary of Scotland' here on last tour.

### 'Daughter' 9G, Montreal

Montreal, April 5.

Legits are doing okay here this season if they have the stuff. 'Yes, My Darling Daughter' clicked last week and 'You Can't Take It With You' is off to an even better start this week. 'Whiteoaks' several weeks ago cleaned up, but the Yiddish 'Brothers Ashkenazi' pancaked.

**Estimate for Last Week**

**'Yes, My Darling Daughter,'** His Majesty's (1,600; $2.50). Comedy gleaned a snappy $9,000 last week.

### 'ROAD' $8,000, BUFF

Buffalo, April 5.

In for its fourth engagement at the Erlanger here last week, 'Tobacco Road' (John Barton) beat the figures of the three previous bookings, with a top gross of over $8,000. First engagement previously held the record at $7,000.

Incidentally, as shown here, the turnip opera is no longer being played as written, but strictly according to roadshow interpretation.

## HEALTHY $10,000 FOR ABBEY PLAYERS, L. A.

Los Angeles, April 5.

Irish Abbey Players are winding up two profitable weeks at the Biltmore, with interest holding strong on second stanza. House goes dark Saturday (9) for two weeks, reopening April 25 with Homer Curran's Coast production of 'Golden Boy,' starring Francis Lederer. It's in for four to six weeks, then making way for Helen Hayes in 'Victoria Regina,' starting June 6, for three weeks.

Abbey Players are booked for two one-nighters during Holy Week at Phoenix and San Diego, then jump direct to Minneapolis for an Easter week opening.

**Estimate for Last Week**

**Abbey Players,** Biltmore (D-1,656; $2.20) (1st week). Despite fact that some of repertoire has previously been done here, troupe drew heavily from the Hollywood mob; opening was capacity and trade held during stanza for very profitable $10,000; one more week to go.

**WPA**

**'Brothers,'** Mason. Opens tonight (Tuesday) for customary two weeks run.

**'Aladdin,'** Hollywood Playhouse. Comes in tonight (Tuesday) after downtown run at the Mayan, and stays in Hollywood for two stanzas.

**'The Great Barrington,'** Mayan. Opens tomorrow (Wednesday) for one week.

## 'KNOW' BIG 30G, 'ROOM' $5,000, PHILLY

Philadelphia, April 5.

Latest to be booked at the Forrest is 'Edna, His Wife,' mono-drama with Cornelia Otis Skinner, for one week only beginning April 18. 'Pins and Needles' comes into the Chestnut the same date. To make room for that musical, 'You Can't Take It With You' (return engagement) has been switched to the Locust.

Only new show is 'Private Enterprise,' Armory Hare drama listed for a tryout at the Erlanger the same date. At present writing, there seems to be some doubt about this indie production arriving as planned. Forrest still announces 'I Married an Angel' for May 2 and 'Star Wagon' for May 18. That's the crop.

**Estimates for Last Week**

**'You Never Know,'** Forrest (1st week) (2,000; $3.30). Started off at a hot pace, although not reaching capacity except for mats and end-of-week shows; $30,000 last week and stays for the current stanza.

**'Room Service,'** Locust (3d week) (1,400; $2.75). Less than $5,000 last week; figured scale was high for a third engagement; house goes dark next week, then gets 'You Can't Take It With You,' beginning April 18.

## 'Daughter' Misbehaves; Off to $6,500, Cleve

Cleveland, April 5.

'Yes, My Darling Daughter' didn't get near the water, as far as the Hanna's b.o. was concerned. Nine performances caught miserably small audiences. Anemic business can be marked down to unemployment here, unflattering notices and unsuccessful tie-up with Al Koran Shrine. Latter's sponsored 'You Can't Take It with You' previous week collected only fair $10,000.

After current dark week, Hanna's docket brings 'Brother Rat,' April 16; 'Tobacco Road,' on third return trip, April 18; 'Julius Caesar,' May 9; Hermit Club show, May 16; 'You Never Know,' May 23.

**Estimate for Last Week**

**'Yes, My Darling Daughter,'** Hanna (1,435; $2.75). Recession hitting all theatres terrifically, particularly legit, which had to do plenty of papering; only so-so $6,500.

### 'Rat' Okay $7,000, St. L.

St. Louis, April 5.

George Abbott's 'Brother Rat,' which played an engagement here several months ago, returned to the American theatre last week. This is the second show to play a return engagement in St. Louis during the current successful season, the other being 'Tobacco Road,' which garnered nice b.o. returns each time.

'Julius Caesar,' with Tom Powers in the top role, opened a week's engagement at the house last night (Monday).

**Estimate for Last Week**

**'Brother Rat,'** American (single week) (1,707; $1.65). Collected $7,000 in nine performances; fair biz considering it was here several months ago, two trips netting $25,000. House is experiencing the best season in years.

# New Entrants Help Bolster B'way; 'Sea Gull' Is Best Over $20,000, 'Whiteoaks' 10G, 'Living' $7,500

## B'way Legit Grosses

**Estimated total grosses last week**........$279,000
*(Based on 24 Shows)*
**Total grosses same week last year**........$413,300
*(Based on 26 Shows)*

Spring crop of new shows on Broadway has been better than usual, though perhaps fewer in number. Of four recent entrants, three are money possibilities, but of limited nature and not competitors for the rating of established standouts.

'Whiteoaks' looks the best of the new group, its first full week at the Hudson being around $10,000. That was better than anticipated, despite the show's substantial business on the road. 'All the Living,' at the Fulton, is provoking considerable discussion, and although its business was only moderate, around $7,500, the unusual features of the drama indicate a chance to make the grade.

Best money-getter, however, came last week when 'The Sea Gull' was revived at the Shubert, first week being estimated well over $20,000. Checkov drama had never drawn such coin, but has the Lunts as the draw. Show is listed for five weeks only. 'Schoolhouse on the Lot' is doubtful at the Ritz, with Sunday performance tried to attract attention.

Business was better last week for some presentations, where grosses materially improved, but certain shows were apparently affected by Lent. Going on Broadway after next week should perk up generally, as it dates the end of the period of abstinence and the deadline of the state (N. Y.) income tax payments.

This week is the finale for 'The Star Wagon' at the Empire, and 'Three Waltzes' at the Majestic. Next week will bring 'What a Life' (playing out of town this week instead of opening cold, as previously reported) at the Biltmore, and a revival of 'The Merry Wives of Windsor' at the Empire.

**Estimates for Last Week**

**'All the Living,'** Fulton (2d week) (D-913; $3.30). Approximated $7,500 first full week; may climb on strength of word-of-mouth opinion on unusual stage topic.

**'Bachelor Born,'** Lyceum (10th week) (C-957; $3.30). One of the few laugh shows of the season's crop and extension into summer now expected; again improved, with gross $10,500.

**'Brother Rat,'** Ambassador (68th week) (C-1,156; $2.20). Slightly improved last week with takings approximating $5,000; low-cost comedy just bettering even break.

**'Golden Boy,'** Belasco (22d week) (C-1,000; $3.30). Ticket sale extends into June and while business has shaded recently, profit being earned regularly; $11,500 last week.

**'Hooray for What,'** Winter Garden (18th week) (M-1,671; $4.40). Has been the runner-up musical right along; off from earlier pace but still satisfactory around $20,000.

**'I'd Rather Be Right,'** Alvin (22d week) (M-1,355; $4.40). List leader also under winter figures; standout musical of season got $25,000 last week.

**'Of Mice and Men,'** Music Box (19th week) (D-1,019; $2.75). Has been easing off recently with recent grosses about even break; last week's takings $6,500.

**'On Borrowed Time,'** Longacre (9th week) (D-1,019; $3.30). Moved forward again with gross close to $16,500; capacity except for early portion of week.

**'Once Is Enough,'** Miller (7th week) (C-944; $3.30). Somewhat better last week when the gross went to $11,500; looks set well into spring period.

**'Our Town,'** Morosco (9th week) (D-961; $3.30). One of the winter's winners; not capacity but substantial money; pace upped last week; over $13,000 claimed.

**'Room Service,'** Cort (46th week) (C-1,064; $3.30). Approaching year's mark; business slipped last week with takings around $6,500 mark.

**'Schoolhouse on the Lot,'** Ritz (2d week) (C-918; $3.30). First full week to modest money with takings around $5,000; Sunday performance being tried.

**'Shadow and Substance,'** Golden (10th week) (D-789; $3.30). Import a dramatic standout with attendance approaching capacity right along; nearly $13,000.

**'Susan and God,'** Plymouth (26th week) (CD-1,106; $3.30). Has been best money-getter among straight plays and still holds the spot; some variation, but excellent; around $18,000 mark.

**'The Star Wagon,'** Empire (25th week) (CD-1,096; $3.30). Final week; average takings over $14,000; going on tour; revival of 'The Merry Wives of Windsor' next week.

**'The Women,'** Barrymore (66th week) (C-1,048; $3.30). Around $11,000 last week, which was slightly up; final three weeks.

**'Three Waltzes,'** Majestic (14th week) (O-1,753; $3.30). Final week; business moderate for musical, with indicated average of $14,000; tours; house goes dark.

**'Tobacco Road,'** Forrest (225th week) (C-1,107; $1.65). Weekly pace does not vary much, with takings around $5,500 to profit for small-cost, long-run show.

**'You Can't Take It With You,'** Booth (68th week) (C-708; $3.30). More than held its own last week and has strong chance for another summer stay; improved to $10,500.

**'Whiteoaks,'** Hudson (2nd week) (D-1,094; $3.30). First full week better than anticipated, with big matinees helping; over $10,000; may be another summer entrant.

**Added**

**'Pins and Needles,'** Labor Stage (16th week) (R-500; $2.75). Continues to draw virtual capacity in small house; $7,000, but with Sundays gross approximates $9,000.

**'The Fireman's Flame,'** American Music Hall; old type meller in night spot.

**Revivals**

**'The Sea Gull,'** Shubert (1st week) (D-1,387; $3.30). Chekov drama drew good press; over $20,000 first week.

**'Julius Caesar'** and **'Shoe Maker's Holiday,'** Mercury (21st week) (622; $2.20). Moved back from National, where business started strongly; eased off to $8,500.

**'A Doll's House,'** Broadhurst (14th week) (1,116; $3.30). Will probably leave after Easter; fair at $7,000.

**WPA**

**'One Third of a Nation,'** Adelphi; indefinite.

**'Prologue to Glory,'** Elliott; good business.

**'Haiti,'** Lafayette, Harlem.

## 'TAKE' $15,200, D. C. OPENER

Washington, April 5.

'You Can't Take It With You' is doing strongly here. Fact that the second stanza was not announced until late in week put the opener across nicely and word of mouth looks to push the holdover session even higher.

'The Women' is due next week, with 'Three Waltzes' to follow for the week of April 18 and 'Yes, My Darling Daughter' beginning April 25.

**Estimates for This Week**

**'You Can't Take It With You,'** National (1st week) (1,698; $2.75). First of two-week stand approximated $15,200.

## BALTO'S ROSY OUTLOOK; SUMMER STOCK PLANS

Baltimore, April 5.

With full month of bookings lined up, town seems set for some bullish legit doings. Both houses are open currently with 'The Women' at Ford's and George Abbott's latest try, 'What a Life,' unveiling at the indie-booked Maryland. Subsequent listings include 'Yes, My Darling Daughter' and 'Three Waltzes,' both set for Ford's.

Plans for a stock season under the auspices of Leonard 'Chum' McLaughlin at the Maryland are shaping up. Due to open in May, with 'Tonight at 8:30' and 'High Tor' mentioned for opening bills. Transient names will be featured.

### Hampden $3,200, Mpls.

Minneapolis, April 5.

Walter Hampden in 'Ethan Frome' here last week was hurt by the proximity of Holy Week and unenthusiastic newspaper reviews. Found the going at the Lyceum tough but netted a profit on the [illegible] engagement. 'Julius Caesar' has been cancelled, but underlined are the Abbey Players for April 18-[illegible], Carlo Grand Opera for April 21-23 and 'You Never Know' for [illegible] 2-4.

**Estimate for Last Week**

**'Ethan Frome,'** Lyceum (2,300; $2.20). $3,200. Three nights and matinee; good enough under circumstances.

### Tain't So

One of the picture trade dailies hooked up VARIETY with Esquire in an alleged Broadway 'rumor' that the latter outfit was bidding for purchase of this paper. Chi bunch that gets out Esquire, Coronet, Ken, Verve. high class combo and very expansionistic.

But tain't so.

### Canadian Bankers' Angle

Canadian bankers are afraid they'll be back in the paper business again before long if the current business recession in the United States continues much longer, since the bulk of Canada's $150,000,000 annual newsprint production is taken up by American newspapers.

Reports are current here of one major American publisher owing $8,000,000 for newsprint, with collections very slow and giving the local banking fraternity the jitters.

Paper industry took the bankers for plenty of millions during the Big Depression, with the result that the banks were left with huge, unwieldly paper-making establishments on their hands for years. Only came out of the ether a couple of years ago, with bank loans being reduced to a considerable extent during 1937 when the current flop in business came along.

### Book Biz Good But Slowing

Reports in the book trade are that business which held up 'surprisingly well' has fallen off within the last few weeks, in comparison with last year.

Several firms stated that until recently their business had been ahead of last year's, but have felt the effects of the recession in the past three weeks.

### Goetz-Algus Syndicate

Chief Features is a new syndicate specializing in cartoons and comic strips. Organized by Al Goetz and Harry Algus. Goetz formerly assistant real estate editor and Algus former assistant radio editor of the N. Y. American. Offices are in N.Y.

Algus also takes over post of radio editor of Wine and Liquor News, new trade paper due out April 15.

### Plays in Book Form Tough

Publishing of plays is considerably more involved than turning out mere books, Random House has been in the process of discovering. Firm has just turned out S. N. Behrman's adaptation of 'Amphitryon 38' postponed since last year. Reason for the delay is a series of interlocking directorates. Theatre Guild owned half the play rights, and the Lunts owned a substantial piece of the production. Version had to have the Lunts' approval before publication. Alfred Lunt kept the galley proofs two months.

Random House will also issue Behrman's 'Wine of Choice' next month. Firm is currently negotiating to publish three WPA productions, 'Prologue to Glory,' 'Haiti' and 'One-Third of a Nation.'

### S. & S. Exec Changes

Street & Smith, pulp publishers, have made some top personnel changes this week, with Allen Grammar going in as president to succeed Artemas Holmes. Grammar resigned as secretary of the Curtis Publishing Co. to assume the new post.

Other resignations at S. & S. include those of Ormond Gould, treasurer and Gerald H. Smith, secretary. Both resigned last Friday (1) but continue on the board, as does Holmes. Henry W. Ralston remains vice-president and has been appointed secretary-treasurer. John M. Peterson, appointed vice-president and general manager last October, has been out of that post since Feb. 1.

Resignation of Artemas Holmes is due to illness as he has been inactive for the past few months resulting from a heart attack.

### Pic Mags Set Down

Southwestern Photographers Association and the Texas State Association of Photographers, meeting jointly in San Antonio, heard Fred R. Bill of Cleveland, prez of the Photographers Association of America, denounce national picture mags which have blossomed out in the past year.

Branded their contents as 'rotten in plot and subject matter.'

### Frisco Strike Deadline

Possibility of a strike on five San Francisco papers still looms as the North California Newspaper Guild unanimously voted Sunday (3) to give the publishers until Friday to accept contract demands.

Newspapers involved are The Call-Bulletin, The Examiner and The Oakland Post-Enquirer, Hearst owned. Scripps-Howard San Francisco News and independently owned San Francisco Chronicle.

Two Duluth (Minn.) papers voted a strike on Sunday (3) at the News-Tribune and the Herald, after a request for a closed shop was refused.

### Philly Record Situation

Philly Record unit of the Newspaper Guild sent back to Publisher J. David Stern Sunday (3) contract he submitted to supplant present binder, which expires Friday (8). Vote was 125 to 15. Guild objected to proposed draft on two scores. First was fact that Stern presented two separate forms, one for editorial department and one for biz department employees. Unit has been demanding that one termer cover entire group.

Second complaint of the Guild was fact new contracts do not contain 'job security' clauses, which have been subject of conferences for past four months. Such clauses would prevent any firing without recourse to arbitration or, at least, discussion with the management. Would prohibit streeting men without cause and Guild doesn't feel that economy is an adequate reason. Claims have been made that employees are fired for economy and two weeks later others are hired in their former spots.

### What Sold F. D. R.

Bennett Cerf, co-head of Random House, tells with pride how the 'good production job on some of our stuff' won for his firm the publication rights to Franklin D. Roosevelt's personal letters, etc.

All publishers bid for it, and all submitted the same standard terms. There was no advance royalty involved, for obvious reasons.

Cerf had sent some of Random's publications to the White House and to Hyde Park, and when he met the President at the latter residence Roosevelt observed, 'I never knew that such fine looking books were published in America.'

### Lawyers Sue Remarque

Erich Maria Remarque, author of 'All Quiet on the Western Front,' was sued last week in N. Y. supreme court by Belle G. Balatow, as assignee of the law firm of Schwartz & Frohlich, on the claim that the author owes $1,000 for legal services. Plaint is that, after they had obtained a $10,000 settlement for Remarque in a joust with Universal Pictures Corp., the author reneged on payment of fee.

### Doubleday Doran Into N. Y. C.

Doubleday, Doran will move its editorial, administrative and sales departments into New York on or about May 15. Firm which now has offices in Radio City, N. Y., will occupy an entire floor. Manufacturing will continue as in the past at the Country Life Press in Garden City, on Long Island.

Up to now many Doubleday business and editorial execs have been forced to commute back and forth between the N. Y. and Garden City offices.

### Blind and Toothless Reviewers

Theodore Schroeder has gotten out privately a 159-page brochure titled 'A Challenge to Sex Censors,' to promote the aims of the Free Speech League. Is seeking a publisher to 'complete the argument and its extension to new legal problems.'

Accompanying copies sent to newspapers is a printed note to the managing editor asking that it be 'referred to the fighting member of the staff, not the blind and toothless reviewer.'

### Kindt, Jr., Steps In

Charles F. Kindt, Jr., was elected prez of John C. Winston Publishing Co. by board of directors last week. He succeeds his father, who was killed March 19 when he fell over a railing at the Bellevue-Stratford, Philly.

Kindt has been with Winstons for 18 years.

### Johnson Edits Ayer Book

J. P. H. Johnson Saturday was named editor of Ayer Directory of Newspapers and Periodicals, standard reference work of publishing industry. He has been connected with N. W. Ayer agency, which publishes the book, for more than 25 years.

Miss Blanche Lemmon, former ed, will continue on the staff of the Directory under Johnson. Guide was established 70 years ago for advertisers.

### LITERATI OBITS THIS WEEK

**Hartley C. Davis,** 72, publisher of The Great Neck News, was found dead at his nome in Great Neck, N. Y., on March 30. He had been on several metropolitan New York newspapers, including The World, and was editor of Munsey's, associate editor of The Literary Digest, and managing editor of Arts and Decoration. The phrase, 'Addison Sims of Seattle,' is credited to him. His former wife, Ann Watkins, is a well-known literary agent.

**James Harvey Taylor,** Alabama newspaperman, died March 30 at his home in Montgomery after several months' illness. He was formerly bureau manager for AP and had worked for that outfit in New Orleans and Atlanta. He was telegraph editor of Montgomery Advertiser when he became ill.

**Mrs. Susan Dennis Boddy,** 79, mother of E. Manchester Boddy, publisher of the Los Angeles Daily News and the Evening News, died in Glendale, Calif., March 27.

**Edward Dean Sullivan,** 50, newspaperman, author and scenarist, died in Hollywood April 4 from a heart attack. He had been on N. Y. and Chicago metropolitan dailies before turning to novel writing. One of his best sellers was 'Rattling Cup of Chicago Crime.' Among his scenarios were 'Hellbound' and 'Mr. Broadway.' Recently he completed 'Gang Busters' for Metro. His widow survives.

### CHATTER

Hugh Lofting is loafing in Hollywood.

Scribner's will publish the Stark Young version of 'The Sea Gull.'

Luce's Press Clipping Bureau marked its 50th birthday last week.

W. H. Auden, English poet, will make a lecture tour in the U.S. next fall.

Stefan Zweig's new novel, 'The Crowning of a King,' is due out shortly.

Graham Greene, English novelist, has sold his new book titled 'Brighton Rock.'

Erskine Caldwell's new collection of short stories titled 'Southways,' is due out in June.

Harrison Foreman, explorer, has left Hollywood for round the world tour and another book.

Nat Ferber and Farrar & Rinehart don't see eye to eye on certain chapters in Ferber's 'Exclusive Story.'

Richard English, Republic scenarist, has been signed by Collier's to do a fiction story a month for the next year.

Sonia Bigman, Time mag's research gal on stage and [illegible], also has a reputation for inside racetrack info.

Ben Stolberg's 'Story of the C.I.O.,' serialized by the N. Y. World-Telegram, will be published in book form.

Howard Spring, English literary critic, has written a novel titled 'My Son, My Son,' which Viking will publish.

Maxwell Thayer, San Francisco Examiner, resigned to handle Gov. Frank E. Merriam's campaign for re-election.

Jim Tully is waiting till the G-men take the heat off the Class B crooks before bringing out 'Honor Among Thieves.'

Phyllis Bottome [illegible] London last week after lecturing in Holland. Comes to the U.S. for a lecture tour next fall.

Jean Reisman, p.a., collabing with Rion Bercovici on play 'For Immediate Release,' taken from latter's published book.

Harry Carey planning a Hobo Library for road kids who quit the trains of the Santa Fe at Saugus, 40 miles from L. A.

Florence Fisher Parry, columnist and critic on afternoon Pittsburgh Press, now devoting her time exclusively to columning.

Benny Drob, Pittsburgh stagehand for more than a quarter of a century, has finished a book on his reminiscences of show business.

Fanny Saul, one of Time mag's research heads, and something of a sergeant-at-arms in the department, back from a trip to Jamaica.

Little, Brown has published the dramatization of Mazo de la Roche's novel, 'Whiteoaks,' currently on Broadway.

Joe Shuman, city editor of Pittsburgh Post-Gazette, rushed to hospital last week suffering from kidney stones, and may have to undergo an operation.

Wolfe Kaufman, [illegible] VARIETY mugg, has finished a novel in two months at Lazy W ranch, dudery, on the Mojave desert. Book is called 'Take, for Instance, Me.'

Groff Conklin's anthology of markets scheduled for April publication has been postponed until fall. Will be titled 'Authors, Artists and Composers' Yearbook,' comprehensive scope is planned.

H. N. Swanson has an assignment from Edwin Balmer, editor of Red Book, to do a series of articles on picture and radio personalities. First will be based on Freddie Fisher and his Schnicklefritz band.

Merlin H. Aylesworth was named publisher of the N. Y. World-Telegram last week. He assumed the post on Monday (4), after having been with Scripps-Howard executive staff for the past 13 months.

American Guild for German Cultural Freedom offering $4,500 prize for best fiction or non-fiction MS. written in German turned in before Oct. 1. Little, Brown cooperating. Any political exile may compete.

Daniel M. Frisbie, former editor-publisher of two Schoharie County papers, has been appointed director of the N. Y. State Bureau of Milk Publicity, at an annual salary of $6,000. He succeeds Paul Smith, named by Agriculture Commissioner Holton V. Noyes as head of the State Fair at Syracuse.

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## Variety House Reviews

### Embassy Newsreel, N. Y.

(Continued from page 46)

pocket billiard champ (U) and sword fishing near Sydney, Australia, exciting for sportsmen by Fox Movietone.

Sweepstakes winners in New York, handled straight by Lew Lehr, as questioner of several winners, top comedy clips. Others of laughable nature are those of a tobacco spitting contest, a cage for drunks (both U), nose printing for canines (Metro) and dart blowing game in England (Par). Lew Lehr is not up to snuff in his word picture of men fishing for bathing beauties.

Movietone does a doubleheader on fashions. One is narrated by Helen Claire [illegible] Hollywood studio femmes parade in garden outfits. Easter hats are displayed, Eve Symington talking, [illegible] model sings old-fashioned tunes to indicate styling. *Wear.*

### KEITH MEMORIAL

(BOSTON)

*Boston, April 3.*

*Louis DaPron, Park & Clifford, Holland & Hart, Gene Sheldon & Loretta Fischer, Janet Carroll, Jane Pickens, Dancing Manhattanites (24), Eddie Rosenwald's house orch, 'Mad About Music' (U).*

Leaning a bit more on production than usual this week, this is commendable vaude. Jane Pickens, headlined, fills the next-to-close spot well with four vocals, all smartly arranged and sung with showmanship. 'Thanks for the Memory,' 'I Can Dream' are her first two, then a well-done hokum operatic medley. Quickie of 'Ti-Pi-Tin' is ideal for her encore.

Holland and Hart click with two ballroom turns, featured in a colorful production number midway in the show. Their second routine, with the girl taking fast, crouched spins, is solid Jackson. A rainbow line number, enhanced by vari-colored costumes and lighting, is introduced by Janet Carroll, singing from a flowery bower prop [illegible] the organ lift.

Park and Clifford, ace risley act, also benefit from production, their opening on a circular platform, full-stage, under colored overhead spots, giving them a good start. They finish in one, with white lights. Very effective.

Louis DaPron, hoofer, is not well-known here but he's making a name for himself this week. Knows his terp, and has class.

Gene Sheldon, pantomimist and banjoist makes the grade, especially with the kids. Has some neat tricks on the banjo, but they're shopworn standards. Assisted by Loretta Fischer, competent straight.

Line numbers are good. 'Orpheus' overture played by Eddie Rosenwald's house orchestra. *Fox.*

### EARLE, WASH.

*Washington, April 3.*

*Tom Barry, Richards & Carson, Johnny Bryant, Lucille Johnson, Four Franks, Three Manhattanites, Five Maxellos, Jo Lombardi's house orch; 'Bluebeard's Eighth Wife' (Par).*

House has whipped six acts into an entertaining revue. 'Parade of Youth' has at least three bits that are new here, all are smart and backed by good staging.

Biggest addition to successful new house vaude policy is the 'Orpheus' overture, first time house has tried to rival the Capitol, D. C.' other vaude house, with serious music in nearly a year.

Show is staged in night club set. Tom Barry steps through curtain to swing applause for overture, opening show. Curtains part on scrim, which goes up on Richards and Carson, who open with clean-cut tap, double on a George Arliss burlesque and smooth hurdle tap to get over. Next, Johnny Bryant, whose standard chatter is overshadowed by sock whistling. Then Lucille Johnson, whose class warbling of 'Say It With Music,' 'Kiss Me Again' and 'Italian Street Song,' coupled with her striking blonde beauty, gets full share of pat-pats.

Four Franks follow with hoofing, sax and trumpet tooting and acrobatic hilarity, especially good being burlesque of Barrymore-Garbo love scene. Speed tap good for flash finish. Three Manhattanites supposed to take over with songs, reported to have been sock earlier in week, but illness of one prevented their appearing at show caught.

Barry gets in his specialty, baritoning 'Sweet as a Song,' which is adequate, although his m. c.'ing remains his chief contribution. Five Maxellos wind up the show with their polished risley, always a winner here, working with Barry for the big laugh at the finish. Everybody on for the finale. Biz big. *Craig.*

### LYRIC, INDPLS.

*Indianapolis, April 3.*

*Hollywood Starlets (12), Eight Guardsmen, Hazel Mangean Girls, Mila Miles Foursome, Eddie Foy, Jr., Viki Cummings, Vince Barnett, Keith Clark; 'Island [illegible] the Sky' (20).*

Array of talent, which looks good on paper, fails to click in 55-minute show. Vince Barnett, spotted near closing, makes [illegible] mistake when he appears in street clothes, without makeup, and gags weakly with Eddie Foy, Jr. Would be better if he adopted comedy getup familiar to his film audiences.

Hollywood Starlets, 12 girls, who do only Third Reader dance routines, are overworked, appearing in five production numbers. Open with old-fashioned routine, which could be omitted in favor of Spanish number done later by the Mila Miles Foursome, adagio act.

Hazel Mangean Girls, acrobatic dancers, also appear in first number and waste time singing Florodora songs, when they could have been spotted to better advantage in their specialty. Keith Clark does some nifty tricks with cigarets and handkerchiefs, but his patter [illegible] all French, understood only by few.

Eddie Foy, Jr., appears briefly with Viki Cummings, who assists in comedy gags, and stooge, who plays uke. Foy's act is funny but production numbers curtail his time. Eight Guardsmen double with Hollywood Starlets as dancers in two production numbers and also fill spot of their own in which they sing 'Tavern in the Town' and 'Song of the Marines.' Wear eye-filling blue uniforms, but their vocals only so-so.

Barnett returns as stooge for Foy just before final curtain. Entire company is brought on stage for finish.

Biz thin at last show Friday (1). *Kiley.*

### STRAND, BROOKLYN

*16 Dancing Debutantes, Col. J. C. Flippen, Paul Kirkland, Tess Gardella, Condos Bros. (2), Teddy King's house orch; 'Bulldog Drummond's Peril' (Par).*

Running slightly over an hour, well rounded weekend vaude combo has the audience all the way. Condos Bros. (2) and Tess Gardella top the layout.

Following her opening, which includes a few impromptu terps, Miss Gardella encores down memory lane with 'Jealous,' 'Who's Sorry Now,' 'I'm Sorry, Dear,' and 'Melancholy Baby,' and a second encore of 'Basin Street Blues.' Condos Bros., hoofers, sock and have to beg off before closing with the 16 Dancing Debutantes.

Paul Kirkland and his unbilled but cute partner is a worthy comedy balancing act. Well liked. Kirkland's balancing on top of a ladder clicks best. Sixteen Dancing Debutantes (New Acts) appear three times and are solid. Open with a military tap, are on midway with a soft shoe, and close with a high kick and precision routine.

Though the Condos pair satisfies plenty with their high speed hoofery, the furious pace palls. Would be better to insert a rhythm routine for a change of pace.

Col. Jay C. Flippen m. c.'s, telling a few gags alone and also with Tess Gardella. Parodies 'Blue Heaven' and 'Plenty of Money.' Teddy King house orchestra, for its usual midway breaker upper, drops the jam session and substitutes 'Poet and Peasant.' Draws big applause.

## Broadway

Herman Shumlin due back from Cuba next week (12).

William W. Jay, to special rep Universal in Great Britain.

Mel Heymann, of Metro's press department, back from Florida.

Charles Gray to manage 'The Circle,' due at the Playhouse soon.

Louis Lissner, g.m. of 'Merry Wives of Windsor,' Empire, next week.

Ziegfeld Girls Club tossing its annual dinner-dance at the Plaza hotel, April 10.

Frank Newman, northwestern operator for Fox-West Coast, in town for huddles.

Bob Curley has returned to Chicago and will p.a. Wayne King's forthcoming tour.

Ernie Mack, impersonator, expects to go to England next month for six weeks of vaude.

Why do vocalists with bands still read lyrics off typewritten sheets, and expect to make an impression?

Leonard Traube advance publicizing George Hamid's recently acquired Million Dollar Pier, Atlantic City.

George Abbott moving his offices May 1 to the RKO building. Philip Dunning will remain at 220 W. 42d street.

Kay Kamen tossed birthday party for the missus at the Rainbow Room Monday night (4), with various film celebs invited.

Harlan Thompson got scared out of that Mexico City visit to Tito Guizar. Traveling back to the Coast by easy stages.

Professional Entertainers of New York (Peonys) induct their new prez, Gus Vincent, next month. They're the club date acts.

Yacht Club Boys leave New York today for Chicago to open at Chez Paree. Thence to Par studio May 1 to start 'Artists and Models,' and thereafter back to London's Cafe de Paris.

More than 200 floats already have been entered in the Motorcade procession of the N. Y. World's Fair preview celebration April 29-May 1, with Saturday (30) designated as day for parade.

Irving Berlin will do the composing for his next season's Broadway musical at a Ventnor, N. J., summer place just leased from former Ambassador W. E. Edge. Songsmith due back from Hollywood end of this month.

Since Meyer Berger's piece in The New Yorker recently on 'tea pads,' as the marijuana speakeasies in Harlem are called, there's been a rush to Lenox avenue for an inside slant on these 'muggles' joints. Broadway and Park avenue sophisticates doing it as a new experience —and invariably some 52d street swingologist is the expert guide.

## Sydney

Herbie Hayward exploiting 'The Hurricane' (UA), due for Hoyts soon.

Cinesound will soon release the second Lloyd Hughes' starrer, 'Broken Melody,' through Australia.

Myron Lustig, Metro advertising director here, okay after illness. Bill Tinkler in charge during absence.

Williamson-Tait reviving 'Desert Song,' Sydney. Will also bring in 'Okay for Sound' at the Royal here for a month try.

Charles Munro preparing to push Hoyts into Tasmania through the National Theatres and Snider-Dean. It's big opposition to Greater Union.

Republic pictures getting a good break throughout Australia over the Greater Union chain. Releasing agency is British Empire Films in charge of Gordon Ellis.

No locals have as yet been listed for production by either National or Argosy in New South Wales. Clarence Badger still around waiting to get started as director.

For some time tourists have been complaining that Sydney has no nite life. Here it's generally blackout by midnite—unless you know the right spots and their sign language.

Sir Ben Fuller dickering abroad for the importation of a new revue unit. Understood knight huddled with Stuart Doyle in connection with latter's intention of also bringing out a revue unit.

## Chicago

Gibby Kaplan back from Coast visit.

Fred Bethke out of hospital after eliminating his appendix.

Harry Grabiner in town after spring o.o. of White Sox.

Film row testimonialing Felix Mendelsohn at stag dinner.

Tim McCoy tossing a beefsteak spread for the news gatherers.

Ed Levin playing bass fiddle with the Chicago Business Men's orchestra.

Joe Eng reopening eatery annex which was fire-gutted eight weeks ago.

Joe Sherman, Bob Barrett and Ralph Atlass had birthdays last week.

Roy Topper had a wad on Roy T. last week when it won at a fancy figure.

Paul Sander handling special exploitation for Nils Granlund while the m.c. is in town.

Thoda Cocroft to N. Y. for looksee on American Theatre Society set-up for new season, also line up shows and players for her summer Oconomowoc theatre.

## Palm Springs

Louise Fazenda here for a rest.

John Litel and the missus here as guests of the Jerry Cowans at Smoke Tree Ranch.

Earl of Warwick hosted Cary Grant, Phyllis Brooks and Gerald Gordon at dinner party.

George Houston will play the top role here in 'Woman of Thirty,' play on which Jesse Lasky, Jr., collaborated.

Freeman (Amos) Gosden, an avid candid cameraman, has entered several of his works in the village's annual photo contest, one of them being a portrait of his team-mate, Charles (Andy) Correll.

Film colony entries for the annual Women's Invitational Championship Golf tourney, to be held here April 25-27, include wives of Jimmie Fidler, Paul Conlon, Andy Clyde, Richard Arlen, Bob Steele, Bert Wheeler, Peverell Marley, Ray McCarey, Gene Autry and Leon Errol.

## Parleys

(Continued from page 7)

tures Corp., RKO-Radio Pictures, Inc., Randol-Rinaldo Productions, Inc., Bernard B. Ray Productions, Luther Reed, Inc., Roland Reed Productions.

Republic Productions, Inc., Hal Roach Studios, Inc., Fanchon Royer, B. P. Schulberg Pictures, Inc., Selznick-International Pictures, Harry Sherman Productions, Inc., Spectra Pictures, Inc., Supreme Pictures Corp., Symphonic Film, Inc., Tru Pictures Co., Inc., 20th Century-Fox Film Corp., Universal Pictures Co., Inc., Victory Pictures Corp., Mason Wadsworth, Walter Wanger Productions, Inc., Warner Bros. Pictures, Inc., Wilding Picture Productions, Inc., Bennie F. Zeidman Productions, Inc.

### Fight for Control

Regular extras and old-time players are engaged in hot fight with dress extras and other groups for control of the Junior Screen Actors Guild. Regulars, headed by riders, are backing Major Philip J. Kiefer for president, while dress group is seeking re-election of Larry Steers.

Frank Mayer, former leading man, has been nominated for vice-president, and being bracketed with Major Kiefer. He is opposed by Richard Bitgood, now second v.p., Tom O'Grady and Harry Mayo. Generally believed fight will be between Frank Mayo and Bitgood.

A total of 164 candidates have been nominated for the 33 posts on the Junior Council to be filled at the annual election Sunday (10) at the American Legion Stadium. Polls will be opened at 6 . m. and will close at 10 p. m., or after all members have had an opportunity to vote. Ballots will be tallied by a firm of certified public accountants. Eleven council candidates who receive the highest votes will be named for three-year terms, the next highest 11 for two-year terms and the next 11 for one year.

Electioneering will be permitted in the Stadium from 6 p. m. to 8 p. m., but after that time all campaign managers and soap box orators will have to leave the Stadium. No proxies will be permitted.

Employes of the Guild have been instructed by Robert Montgomery and Kenneth Thomson to abstain from taking any part in the election.

Aubrey Blair, executive secretary of the Junior Guild, will not have to run for re-election. Blair and Thomson are now employed at the will and pleasure of the SAG board of directors.

### Await NLRB Decision

Producer recognition of Screen Publicists Guild, Society of Motion Picture Art Directors, Screen Cartoon Guild and other studio crafts hinges decision of the National Labor Relations Board in the Screen Writers Guild case. No agreements will be signed with any of these independent crafts until the NRLB decides whether interstate commerce phase of the Wagner Labor act applies to the film industry.

The Screen Directors Guild has already applied to the NLRB for recognition, and case will be set down for early hearing after the board rules on the petition of the SWG for an election of screen writers to designate bargaining representative. If Guild wins decision, which is considered 10-to-1 shot, Pat Casey, producer labor contact, will immediately open negotiations with the various crafts that are now clamoring for recognition.

## London

Sybille Binder recovering from pneumonia.

Max Milder new house at Hampstead.

Talk of Anthony Hawtry going into management.

Jeffrey Bernerd booked for New York visit next month.

Charles Cochran's revue opens in London second week in May.

Picture producer Paul Stein applying for British citizenship.

Repertory Players may produce new comedy, 'Strolling Saints.'

Ruth Selwyn expected here for play buying sometime this month.

Matheson Lang in nursing home with internal trouble, and improving.

Raymond Stross to present 'Frigate Birds' by Max Catto at Richmond.

Nikolai Gubsky, author of 'Mara the Gypsy,' back from South American cruise.

Sam E. Morris off to Paris for a few days prior to sailing for New York April 8.

George Black, Jr., contracted to direct his second film, starring Douglas Wakefield.

David E. Griffiths, First National's managing director here, has a sprained ankle.

Dublin Gate theatre scoring big success with 'Pleasure Garden' by Beatrice Mayor.

Leslie Henson wants to produce 'Husband to a Famous Woman' by Gilbert Wakefield.

Mae Wynne and Zella company booked at the Opera House, Blackpool, for the summer.

Frances Carson back from California, but will no longer be connected with Film Rights, Ltd.

J. C. Wilson's 'Amphitryon 38,' starring Alfred Lunt and Lynn Fontanne, likely to go to the Lyric.

Stephen Mitchell bought Ronald Adam's share in Phoenix theatre. Latter returning to Embassy theatre.

Orpheum Cinema, Golders Green, part of County Cinemas Circuit policy to vaudeville Easter Monday.

Earl Bailey, London head of Music Corp. of America, arrived from New York and immediately left for the continent.

Julia Neilson's 50th stage anniversary celebrated March 21 by a luncheon at the Dorchester, at which 700 were present.

George Dormonde offered 10 weeks for Barnes & Carruthers fairs, but likely to sign for Cliff Fischer at Les Ambassadeurs, Paris.

Abe Berman, European representative of Selznick Pictures, off to Belgium, Holland and Switzerland to launch 'Tom Sawyer.'

Thornton Freeland and June Clyde (Mrs. Freeland), entertaining a big party of Americans at Gertrude Niesen's Cafe de Paris opening.

Max Miller refused to replace Flanagan and Allen in the Palladium 'Crazy' show, with the team being replaced by Stanley Holloway.

Ben Travers, author of numerous West End farces, will appear in his latest, 'Banana Ridge,' starring Alfred Drayton and Robertson Hare.

Warner Bros. resumes production April 4, with 'Carroll Sawyer,' a story of 52d street. Arthur Wood directing, with Bebe Daniels and Ben Lyon as stars.

O'Bryen, Linnett & Dunfee have bought out Basil Dean's interest in 'Death on the Table,' and have signed the cast to tour for 10 weeks after show's run in the West End.

Len Barry (Parnell & Zeitlin) fixed first broadcast of his radio feature, 'Road House Radio,' for July 4, and which will be for 45 minutes. If a success, it will become a monthly feature.

Twentieth Century-Fox, which received $7,500 in the Shirley Temple libel suit, has given $5,000 to the Cinematograph Trade Benevolent Fund and the remaining $2,500 to the Middlesex Hospital.

Vogue's 'Kicking the Moon Around,' filmusical, starring Ambrose, Evelyn Dall, Harry Richman and Florence Desmond, gets its West End pre-release at the Plaza, a Paramount theatre.

April 14 is official closing date of Cliff Fischer's London Casino revue, having stayed four months, shortest on record. No previous show stayed less than five months. Theatre will be closed for three weeks before new show comes in.

'People of Our Class,' the new St. John Irvine play, under management of H. M. Tennent, gets its tryout at the Streatham, Easter Monday, for one week, with the following stanza at the Hippodrome, Golder's Green. No West End house yet set.

## Pittsburgh

### By Hal Cohen

Mrs. Johnny McBride to give birth late this summer.

Jules Lapidus' youngster coming along after pneumonia.

Bill Davis taken to West Penn hospital with ticker ailment.

'Y' Triangle Players readying the one-acters by Victor McGove

C. J. Lattas and their two daughters back after three weeks Miami.

Marie McSwigan back from Florida to take over publicity at Kennywood Park.

Harry Feinstein spending his vacash at a physical culture hotel in Danville, N. Y.

Jackie Hellers in for brother Bill Heller's wedding to Lena Abramovitz Sunday (10).

Norman Porter succeeding Frank Strang in 'Autumn Crocus' for last week of run at the Playhouse.

Bernie Armstrong netted $5,000 by disposing of half-interest on Red Knight, who didn't finish at Aintree.

Warner nabe house, the Belmar, celebrating 25th anniversary this week. Mary Pickford attended opening in 1913.

Ernie Morrow, clarinetist, who won $75 prize in Tommy Dorsey's swing contest here, is a pupil of Barney Rapp, who plays in Stanley orchestra.

George E. Browne and Lewis Krouse here over weekend for conferences with local officials of International Alliance of Theatrical Stage Employees Union.

## Carry On

(Continued from page 1)

to a harmony piano and singing act in family time vaudeville starting in 1922, when the act played midwest vaude time, mostly for the Charlie Carrell booking office. They have been on the air since 1924, doing harmony singing with comedy chatter both on sustaining and commercial shots.

They built their main rep with a daytime strip tagged 'Smackout,' and got their main money during this period from p.a. dates around the midwest. Since their click on the Johnson show they've made a picture for Paramount and are under contract for another one, which is being held up due to Molly's continued illness.

Show has held its audience remarkably despite the absence of one of its principal characters and has not lost its identity as a two-people show. Neither the sponsor nor the agency are thinking of program replacements, with the show today rating as a valuable piece of show property in spite of Molly's absence.

## Agency-Sponsors

(Continued from page 34)

signed with KFRC, San Francisco, for half hour Wednesday night shows titled 'Wedding Ring Party' with live talent and audience participation. Starts April 13.

**Krey Packing Co.**, St. Louis, six time signals weekly over KMOX, St. Louis, for 26 weeks, starting April 4. Agency: Oakleigh R. French.

**P. Lorillard Co.** (Sensation cigarettes), through Lennen & Mitchell, New York, is sponsoring Bob Bence's 'Don't You Believe It' quarter-hour Tuesdays and Thursdays on KFRC, San Francisco. Cranton Chamberlain authors the programs, scheduled through June 23.

**Star Outfitting Co.** (clothing), through Allied Advertising Agency, has renewed for a year its daily spot announcements on Bill Davidson's 'Rise and Shine' session on KFRC, San Francisco.

**Time Tested Laboratories**, through Meldrum & Fewsmith, Cleveland, 39 broadcasts of a five-minute transcribed program, 'Helpful Harry's Household Hints,' on KFRC, San Francisco.

**Williamson Candy Co.** (Oh Henry candy), through John H. Dunham Co., Chicago, on KFRC, San Francisco, five nights weekly with minute platters.

**Chevrolet Motors**, through Campbell-Ewald, Detroit, has renewed for 13 weeks its transcribed 'Musical Moments' quarter-hours on KFRC, San Francisco.

**Workman Packing Co.** (IXL tamales) is spotting four announcements weekly on KPO, San Francisco, through Tomaschke-Elliott, Oakland.

**New biz** on KTHS, Hot Springs, Ark., includes spots for Magnolia Oil, race results for Sterling Beer, and quarter-hour programs for both Thompson hatchery and Waller Brothers nursery.

**Rich's, Inc.**, Atlanta department store, teed off Friday (1) on WSB with new [illegible]-times-a-week program titled 'Rich's Says Good Morning.' Penelope Penn, store's personal shopper, aided by Dana Waters, of WSB staff, do the miking on 30-minute programs.

## Hollywood

Bobby Breen back after p.a. tour.

Rodney Pantages bought a yacht.

Basil Rathbone recovered from flu.

Ramon Novarro back after p.a. tour.

Jack Oakie hospitalized for inspection.

Tala Birell discharged from hospital.

Charles Starrett hospitalized by a leg injury.

Mitchell Gertz at his desk after operation.

Griffin Jay joined Republic's writer staff.

Fanny Brice's daughter parted with her tonsils.

Polly Moran's mother hospitalized by auto injuries.

Florine McKinney changed her name to Lori Trivers.

Larry Wickland, former Republic producer, seriously ill.

Eleanor Powell back at Metro after a month's illness.

Paul Muni and the missus trained in after European travels.

Robert Taylor planting 200 citrus trees on his 30-acre rancho.

LeRoy Prinz and frau home after a month's vacation in the east.

Earle Hampton switched from Metro publicity to advertising.

Paul Snell back at Principal Productions after Mexico City jaunt.

Charles Christie, former producer, now with Beverly Hills realty firm.

Mort Singer, Jr., back after a month in New Orleans and Chicago.

John Wentworth, United Artists ad art director, parted with his appendix.

Daniele Amfitheatrof, Minneapolis Symphony conductor, here for confabs.

Frank Morgan passing up European trip to buy the 78-foot cruiser, 'Katinka.'

Herman Robbins, National Screen prexy, here for a gander at his new Coast plant.

Clark Gable off for Lower California and two weeks of fishing in Mexican waters.

Harry Brand back from Kansas City where he attended the 20th-Fox convention.

Loretta Young bedded with cold while 20th-Fox shoots 'Three Blind Mice' around her.

Lincoln Quarberg in as publicity and advertising director for David Loew Productions.

Terry Spencer, Metro research expert, on lot again after six months vacation in England.

John Barrymore, hospitalized for ptomaine, back on Paramount's 'Spawn of the North' sets.

Robert Sisk celebrated his birthday with a party for the cast and crew of RKO's 'Blind Alibi.'

Director Frank McDonald handed his wife (Goodee Montgomery) an Antelope Valley ranch for her birthday.

Annabella and husband, Jean Murat, second - honeymooning on Coast motor jaunt prior to latter's return to France.

Director Al Santell supplied the blood when physicians ordered transfusions for his wife, Jane Keith, following a sinus operation.

Lloyd Pantages purchased an interest and will become an active associate of his brother, Rodney Pantages, in the latter's talent agency.

## Minneapolis

### By Les Rees

Bill Mick, long a local theatre manager, moving east.

Columbi screened 'There's Always a Woman' for exhibs.

Bill Evidon, Columbia office manager, going in for horseback riding.

Jessica Dragonette here as Minneapolis Symphony's pop concert soloist.

'Chinese Follies,' stage show scheduled for Orpheum next week, cancelled.

Eva Katzman, 20th-Fox district manager's secretary, visiting parents in Omaha.

Bess Popkin, Columbia branch manager's secretary, back from California vacation.

Pantages theatre auctioned off for $140,000, but sale will not interfere with Eddie Ruben's lease.

Tom Burke, former Nationl Screen branch manager here, now at Chicago office helm, a visitor.

Palace theatre deal for Frank Wallace during Orpheum engagement of Mae West fell through at last minute.

Gertrude Guimont, Warner booker, working despite two fractured ribs sustained when she fell down stairs.

United Artists' employees here won week's extra salary because of branch's showing in 'Better Business Drive.'

Ruth Lee, with Walter Hampden in 'Ethan Frome' at Lyceum, a Minneapolitan and long with Bainbridge dramatic stock here.

Josephine Idzorek, secretary to John J. Friedl, Minnesota Amusement Co. general manager, back from a Florida vacation.

Among local theatrical contingent attending Thomas-Louis fight at Chicago were W. A. Steffes, Bennie Berger, Abe Kaplan, J. L. Stern, Bill Watmough, Theodore Hays and Harry Dryer.

# OBITUARIES

### REINE DAVIES

Reine Davies, former actress and more recently film columnist, died in her Beverly Hills home April 2 of spinal meningitis, contracted several weeks ago. She had made such excellent progress that her recovery was confidently anticipated and her death, following a relapse, came as a surprise. At her bedside were her sisters, Ethel, Rose and Marion, the latter the star of cosmopolitan films; her niece, Mrs. Arthur Lak , and her Charles Lederer. She was formerly the wife of George W. Lederer, long time manager-producer at the New York Casino.

Miss Davies, the daughter of the late Judge Bernard Douras, went on the stage and won wide favor in musical comedy after successful career as a vaudeville headliner, but she relinquished that for journalism after having won success as a play broker and talent agent. During the World War she trained for nursing career, but was prevented from going overseas by a serious accident which incapacitated her from active service. She was an able horsewoman and active colonel Victor McLaglen's light horse troop. She was active in philanthropic movements, particularly those pertaining to the film colony, and gave unstintingly of her time.

She found her greatest success in journalism and some five years ago she joined the staff of the Los Angeles Examiner, doing one of the film chatter columns, Hollywood Parade, to which she was able to bring into use her widespread knowledge of film business and capitalize her far-flung friendships. The column was syndicated to other Hearst publications.

Her son, Charles, is a film writer. Services were planned for today (Wednesday) in Culver City.

### JAMES CAREW

James Carew, 67, veteran legitimate and film actor, died in London, April 4. Native of Goshen, Ind., he made his first stage appearance in 1897 in 'Damon and Pythias' on the stage of the Irving theatre in Chicago.

Following several years of touring in various stock companies, he went to London in 1905 and became prominent on the English stage. Returning here two years later he married Ellen Terry, with whom he appeared previous to the marriage in one or two stage successes. Miss Terry died in England in 1928. He also appeared with Maxine Elliott.

Carew started his film career with Pathe in 1915, appearing in a number of that outfit's releases. In 1931 he was discovered as one of the characters in an English radio program styled somewhat like the current Amos 'n' Andy. He retired in 1936 to live in the suburbs of London.

### HERMAN WHITMAN

Herman Whitman, 41, manager of the Earle theatre, Philadelphia, died April 4 in that city of a cerebral hemorrhage. He was stricken March 24 at the theatre.

Before taking over the management of the Earle three years ago for Warner Bros., Whitman was manager of several of the leading houses in Greater New York. Among them were the Radio City Music Hall (soon after it was built by the late Roxy), the Palace, N. Y., and the Greenpoint and Albee, Brooklyn. He was previously house and division manager for the RKO circuit for about 15 years. Part of that time he spent on world tours in search of stage talent.

Whitman, who was unmarried, is survived by his mother, five half-brothers and two half-sisters. Funeral services will be held today (Wednesday) at 4515 Fort Hamilton Parkway, Brooklyn, Whitman's home, at 2 p.m.

### GEORGE T. CALLAHAN, SR.

George T. Callahan, Sr., for the past 27 years stage manager of Keith's, later the RKO theatre, Lowell, Mass., died in that city March 30. Previously he had served in like capacity at other Lowell houses.

Starting his career some 50 years ago as actor roles, he soon turned to the executive end of the business, acting as advance man for various circuses and theatrical attractions. For a time he was advertising man for Father John's Medicine, and prepared the first advertising campaigns for that proprietary remedy. He settled in Lowell, and in 1911 took over the stage with the opening of the Keith house. He still held that position at the time of his death. He was a member of stage hands' local 36.

Survived by his widow, the former Katherine Roark, four daughters and a son.

### JULES H. MICHAEL

Jules H. Michael, 69, died suddenly at Buffalo from a heart attack. For the past 13 years he was chairman of the Motion Picture Theatre Owners, Buffalo zone.

Starting in the theatre business 40 years ago, Michael was the manager of B. F. Keith's first picture house Boston, leaving Keith to become an associate with the late Mitchell H. Mark in the management of Mark's theatres in Boston and Cleveland. Later he became partner with the Henry Brock operating theatres in upper New York State, including the Academy and Regent at Buffalo, which latter house he continued to operate until about four years before his death. Burial was at Buffalo.

### COLIN CAMPBELL TAYLOR

Colin Campbell Taylor, 74, actor-playwright and originator of the Elks' greeting, 'Hello Bill,' died in Santa Monica, Calif., April 1. He is survived by his widow and a daughter.

Starting in show business when he was 15, he was well known in eastern legit circles from the early '80s until he retired 20 years . In addition to his work as an actor, he authored more than 100 plays and collaborated on as many more.

Salutation that has since become universal among the Elks grew out of a play written by Taylor and staged for the national Elks convention in Minneapolis in 1890. Comedy's principal characters were five college students, all named 'Bill.'

In loving memory of my dear wife
and pal for twenty-seven years

**MAUDIE MALLIA**

Who was taken from me April 9th,
1937, in Hollywood, Calif.

Rest in peace, dear girl, one
replace you.

**HENRY MALLIA**

### FRED WAGNER

Fred Wagner, 63, circus and vaude manager, died suddenly in Chicago on March 24 of heart failure.

Wagner was on the road for 17 years of his theatrical life as contracting agent for the Hagenbeck-Wallace circus. He also had managed road tours of Raymond Hitchcock; was manager of Columbia theatre, Chicago. Was company manager for Fanchon & Marco units and also for Gilda Gray. At time of death was unit manager for Federal vaudeville project.

Widow survives. Burial in Watseka, Ill.

### ADELE BELGARDE BUTLER

Adele Belgarde Butler, 71, former legit actress and mother of David Butler, film director, died in Hollywood, March 30. She was the widow of Fred J. Butler, one-time owner of L. A. Belasco theatre.

Under her maiden name, Adele Belgarde, deceased played leading roles opposite Frederick Warde, Tomaso Salvini, Louis James and other stage favorites in New York and San Francisco. For several years she played leads with Alcazar Stock Company in San Francisco.

### KITTY LEONARD

Kathryn (Kitty) Leonard, formerly of the Columbia burlesque wheel, died at the home of her sister in Paterson, N. J., last week. Services and interment at Atlantic Highlands.

She was the wife of Bobby Barry of the vaude team of Barry and Lancaster, and for a time vaudeville partner of the late James J. Corbett.

### IRVING EDWARDS

Irving Edwards, 35, former vaudeville comic and master of ceremonies, died of a heart attack at his home in Elmhurst, L. I., N. Y., April 4.

He had been playing in vaudeville and unit shows for the past 20 years, and recently was getting into radio. During life time he toured all the big vaudeville circuits.

He is survived by his mother, a sister and a brother, Elmer Grasso, in the music publishing business.

Edwards was to have wed Rene La Mar, member of La Mar Trio, April 16.

### BASIL A. BARRON

Basil A. Barron, 41, comptroller of Educational Films Corp., died in New York, March 29, following a brief illness. Heart condition aggravated by pneumonia was given as cause of death.

Born in Alexis, Ill., he joined the Fox Film Corporation in 1929 and made trips to Australia for Fox and in 1933 became associated with Educational.

He is survived by three children, his parents, two brothers and a sister. Interment at birthplace.

### JAMES C. ENRIGHT, JR.

James C. Enright, Jr., 27, scenario and production supervisor for the Ray Bell Films, Minneapolis, died there following a heart attack.

Prior to his Ray Bell affiliation a year ago, he was associated with the scenario department of radio station WTCN. He also had been booker for Twin City auto shows and for the Cocoanut Grove night club. His father and two sisters survive.

### JUNE BURBANK

Mrs. Elizabeth Perham Moore, 69, professionally known as June Burbank, died in New York, April 2, at the home of a sister. She was with the Three American Beauties in vaudeville and later turned to the dramatic stage, appearing with Mrs. Leslie Carter.

She retired in 1902 following her marriage to the late Albert H. Moore. A brother survives.

### CHARLES E. DUDLEY

Charles E. Dudley, 83, died in New Bedford, Mass., April 1. He had been in the theatre for 50 years, starting when 20, as Marks in an 'Uncle Tom's Cabin' troupe. He had played with many leading actors including William Gillette and Henrietta Crosman.

Survived by two sisters and his widow, professionally known as Jeanette Cass.

### LUDWIG WULLNER

Ludwig Wullner, singer, died in Germany several weeks ago at the age of 82. Dean of the classical lieder, he had toured the U. S. many times. In the last years, with his voice gone, he continued public appearances in Germany as reciter and actor. He was the last exponent of the German classical tradition, the exemplary interpreter of Goethe and Schiller.

### EDWIN T. KIELY

Edwin T. Kiely, 29, adopted son of Mrs. Ren Shields, widow of the writer of 'Good Old Summer Time,' 'Frankie and Johnnie,' 'Steamboat Bill' and other old-time song hits, died March 31 at his home in Avenel, N. J. Mrs. Shields adopted him as a baby shortly after the death of her husband.

A brother, George, who lives at the Avenel residence, also survives.

### E. BERKLEY MARTIN

E. Berkley Martin, 52, former treasurer of the American (legit) theatre in St. Louis, and for 23 years manager of the American hotel, died of complications March 30. Martin had a wide acquaintance among theatrical folk.

He is survived by his widow, three sons, mother, four brothers and three sisters.

### SIGNOR TOLOMEO

Signor Tolomeo, former Des Moines musician and chautauqua director, died in Omaha, March 25. He was born in Triest Austri , and while in Des Moines, billed chautauqua speakers and traveling orchestras.

He is survived by a daughter and one sister living in Austria.

### BERNHARD SOLMS

Count Bernhard Solms, 38, died suddenly in mid-March in Germany. Belonging to one of Germany' oldest aristocratic families, he went over to national socialism its early days. When the party came into power he was called to Berlin to head the large People's Stage.

### EDWARD A. GARTNER

Edward A. Gartner, 69, for 15 years property man for Richard Mansfield, died in Amityville, L. I., April 1.

He had been in the theatre since he was 14 and for the past 25 years had been stage director and superintendent of Kismet Temple, Brooklyn.

### PADDY GARTLAND

Hugh Patrick (Paddy) Gartland, 50, owner of the swank Van Dyke Club in Detroit, died March 28 in Detroit of a heart attack. He had operated niteries and cabarets in Detroit for many years. Burial in Detroit.

### MAY PENMAN

May Penman, former vaudeville partner of James Barton and John Barry, died in Atlantic City last week. She is survived by her daughter Kathryn, wife of James Barton, now in 'Tobacco Road.'

Interment at Bellaire, L. I.

### MONTFORD H. KENNEDY

Montford H. Kennedy, 63, actor, night club entertainer, died March 28 at his home in Hayesville, O., after a lingering illness.

He had been identified with theatricals practically all his life.

### DAVE WHITE

Dave White, 35, vaudeville comic, died suddenly in Brooklyn of a heart attack April 4. He last worked with the Three Sailors and Lew Parker & Co.

His mother survives.

### JOSEPH GREENWALD

Joseph Greenwald, 60, veteran stage actor, died April 1 in Santa Barbara. Details in legit section.

**Mrs. Amelia Poirier Rossi,** 74, widow of Joseph Rossi, who was a famous baritone of the Old French Opera for many years, died in New Orleans March 31 at the home of her daughter. She is survived by two daughters and a son.

**Wife** of Edgar F. Bitner, treasurer of the Musical Courier and formerly general manager of Leo Feist Music Corp., died in Mount Vernon, N. Y., April 4 after a lingering illness.

**Son,** 16, of Harry Warren, contract writer with Warner Bros. studios, died of pneumonia in the Cedars of Lebanon hospital, Hollywood, April 2.

**Mother,** 73, of Harry Fox, gen. mgr. of the Music Publishers Protective Association, died April 2 at her home New York.

**Father,** 78, John Wentworth, United Artists advertising artist, died April 2 in Hollywood.

**Mother** of Marc Lachmann, Universal studio publicity director, died in Chicago March 30.

**Wife** of Harry Spears, CBS engineer in Hollywood, died there April 4.

**Mother** of Mrs. Ted (Ada) Lewis died in New York April 4.

# News From the Dailies

*This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.*

## East

Theatrical Wardrobe Attendants Union to throw a ball at the Center hotel May 1.

Griswold hotel, New London, to have a strawhat headed by Tamara. Will do eight new plays during July and August.

Irving Berlin has leased a summer home at Ventnor, Atlantic City suburb, for the summer.

Dr. J. B. Nash, N. Y. educator, tells Jewish Vacation Assn. that radio is a 'strangling influence' to children. Wants the kiddies barred from Tarzan, Buck Rogers, et al.

Musicians' Emergency Fund reports aid extended 5,046 since its establishment in 1932. Administration cost is less than 3%, it was stated at a luncheon last week.

Noel Coward has gone to the Mediterranean to find out for the British Admiralty the type of films the sailors want.

'Golden Boy' cast attended the performance of 'All the Living' last Wednesday afternoon.

Mercury theatre has granted permission to a group of Hawaiian amateurs to stage a production of Orson Welles' 'Caesar' on the Island. Welles' version is copyrighted.

Irish Repertory Players did three one-acters at the Hechscher last Friday night. Included Synge's 'Riders of the Sea' and Lady Gregory's 'Rising of the Moon.'

Society of Illustrators to give a Bal Friskee at the Park Lane April 8. For relief.

Merlin H. Aylesworth, who has been with Scripps-Howard since his retirement from RCA, now publisher of the N. Y. World-Telegram. Had been touted for head of National Association of Broadcasters.

Last week Daniel Frohman sent his obituary to all N. Y. papers 'just in case.' Says he's feeling fit, but may get slapped down by an auto.

William Randolph Hearst and his associates will turn the Ritz Tower over to the bondholders. Incepted by the late Arthur Brisbane in 1926.

U. S. Secret Service inaugurates a series of lectures on how to detect counterfeit bills. Tickets distributed to merchants. Three new issues put in appearance lately.

Backstage party last Friday marked the 20th anniversary of the Henry Miller theatre. House has seen 72 productions in that time, with 27 hits.

Maj. Wilhelm Para Kennard asking the supreme court to order his divorced wife, Velma Hinkle Kennard, to pay him $50 a week alimony. Claims he assigned her a trust fund and wants some of it back. She's a former actress.

Fight against fixing traffic tickets ups court income 41%.

Lauritz Melchoir and his wife threw a party in Boston last Thursday to celebrate the 25th anniversary of his operatic debut. He sails May 3 to do a little hunting in Germany.

Sixth biennial contest for student singers and musicians launched by the National Federation of Music Clubs. Decisions announced May 16-23. Prizes are $1,000.

Martinelli to be soloist at Newark Music Festival Chorus' 24th annual spring concert.

Annual show of the Dutch Treat Club at the Waldorf-Astoria held up last week until 11 hands from three theatrical unions were put to work. First time club has been required to bow to union requirements.

Boston Symphony orch closed its 52nd season in Brooklyn last Friday.

Dorothy Thompson to front a concert at Carnegie Hall April 27 for the Austrian refugees.

Hasty Pudding Club players who show at the Waldorf-Astoria Friday to see "The Fireman's Flame' tomorrow (Thursday) night. Old grads expected to show up at the box office.

Arthur Arent, managing editor of 'The Living Newspaper' and Samuel Selden, associate director of the Carolina Players, given Guggenheim fellowships in stagecraft. Former will use the allotment to engage in drama writing. Latter will do a book on basic stage direction.

Crashing into the bleachers at the Nutley (N.J.) Velodrome last Sunday, a midget racing car injured 10 spectators, three of them seriously. Kenneth Fowler, the driver, also sustained major injuries.

League of Nations offering two prizes for picture senarios. One in

(Continued on page 55)

# MARRIAGES

Astrid Shirley Hanson to Robert Steele, in Hartford. He's announcer at WTIC.

Kathryn Simpson to Rex Sorenson in Yuma, Ariz., March 26. He's a film actor.

Diana Churchill to Barry K. Barnes in London, March 21. Both are London stage and film players.

Marjorie Call to Carlos Salzedo i Roachdale, Ind., skedded for April 21. Bride is harpist with Indianapolis Symphony; he is harpist and composer.

Muriel Kerr to Naoum Benditzky in New York, April 2. Bride is pianist; he is 'cellist.

Gail Greenstreet, radio publicist, to Howard Strickling, Metro publicity director, April 1, in Tucson, Ariz.

Phyllis Livingston to Roy Arthur Gore, March 27, in Los Angeles. Groom is theatrical engraver on the Coast.

Dorothy Barclay to Henry C. Huber, in Pittsburgh, April 5. He is a magician; she is his assistant.

# BIRTHS

Mr. and Mrs. Arthur Linick, daughter, in Chicago, March 24. Father is v.p. of WJJD, Chicago.

Mr. and Mrs. Hugh Conover, son, in Washington, March 29. Father WJSV announcer.

Mr. and Mrs. Lyall Holmes, daughter, on April 1, Edmonton, Canada. Father sportscaster CJCA, Edmonton.

# WHAT THEY THINK

**Radio Aphorism**

Charleston, S. C., April 2.

*Editor*, VARIETY:

If you are looking for rather unusual happenings I think the excerpt from Chief Engineer J. B. Fuqua's report is of interest:

"March 23 off the air 1 min. 30 sec. due to unintentional roasting of a large mouse in high voltage -denser, said process causing relays to open and fuses to burn." Our comment on that report is that he who comes in contact with radio inevitably will burn up from time to time.

*Radio Station WCSC,*
John M. Rivers, President.

**Add: Strawhats**

Milwaukee, March 25.

*Editor*, VARIETY:

More than 6,000,000 people—which is more than 5% of the U. S. population—spend their summer vacations in Wisconsin. They spend during their visit between $250,000,000 and $300,000,000 each summer. They spend it mostly between Memorial Day and Labor Day. While the highways in all regions of the state are alive with summer visitors, there are several regions where the concentration is quite heavy. For, while there is an apparent trend among tourists to move around and see more territory, Wisconsin remains predominantly a place where a vacation means putting up at a resort, taking cottage, renting a cabin—and then looking for something to do.

Wisconsin offers what would seem to be a wide-open opportunity for summer theatres of the barn-circuit type that you see in almost every other hamlet throughout New England and a few other eastern seaboard states. But last summer—so far as is known—Wisconsin had just one summer theatre, The Peninsula Players at Fish Creek on the Door county peninsula, 250 miles north of Chicago.

Lest people on the eastern rim think there are still Indians in Wisconsin—as a matter of fact there a lot of them, and one tribe, the Menominee, had a show of their own last summer, based their ancient legends. They built themselves a nearly perfect forest bowl, built even their own lighting equipment. But lest you think Wisconsin is all Indian-land—there isn't a dusty road among the whole 85,000 miles of major highways. Most all regions are within a day's drive from Chicago—and closer yet if you use some of the streamlined railway speeders. And if you want to pay $20 a day for a hotel room, you can do that, too.

The people here, and they've got money to spend. Who's going to give them a barn circuit to spend some of it on?

*C. P. Holway.*

**Mort Singer's Old Musical**

Chicago, April 1.

*Editor*, VARIETY:

Notice in VARIETY of a week ago a write-up regarding Joe Howard, in which he mentions that he was the producer of a play called 'A Stubborn Cinderella.' This play was produced by me at the Princess theatre, Chicago, some 30 years ago.

As far publicity is concerned, I like to see Joe Howard get any 'breaks' possible. How I would like to have the true facts mentioned, so that no complications might arise, if at any time, certain musical comedies are sold for motion picture rights.

*Mort. H. Singer.*

**Carter Knows Full Operas**

New York City, March 31.

*Editor*, VARIETY:

I wish to make a correction on an article printed in the Wednesday, March 30 edition of your paper, page 38, top of column 4, concerning Mr. John Carter.

The article headed 'Now He's Serious' states that John Carter . . 'does not know any operatic roles.'

This statement is incorrect. Mr. Carter knows 'Faust,' 'Madama Butterfly,' 'La Boheme,' and 'Rigoletto,' and is working on several more.

*Harris & Steele, Inc.*

# Al G. Barnes, Sells-Floto

Los Angeles, April 4.

After the customary nine-day break-in that got started with a two day stand in San Diego, Al G. Barnes, Sells-Floto combined circus is back in Los Angeles for its annual week's engagement downtown, to be followed by an additional three days in the Hollywood-Wilshire area.

It's by long odds one of the best all-Pacific coast circuses that ever hit the trail, and under the rejuvenated Ringling management looks destined to go a long way during the 1938 tour.

Dozens of new acts, a weeding out of considerable deadwood and virtually brand new cars, wagons, canvas and other paraphernalia has brought about a combination that spells outdoor entertainment in its fullest sense.

Topping the 1938 show are two outstanding feature attractions; Mabel Stark and her trained lions and tigers, a Barnes attraction for many seasons until dropping out of the picture for the 1937 tour, and the Rieffenach Family, Austrian riding aggregation, brought over from Ringling-Barnum & Bailey show to give the Barnes outfit one of the few touches necessary to give it top-notch position.

Barnes show is primarily a wild animal stuff with stellar aerial gyra-program is thoroughly diversified, presenting about a 50-50 break in animal stuff with steller aerial gyrations. Show has been trimmed down to a little under two hours running time, and under the handling of Robert Thornton, equestrian director, moves at a fast tempo. As revealed here show gives unmistakable evidence of keen showmanship ability of Ben Austin, who combines his duties of general agent with that of general manager, and the able assistance of the lieutenants under his command.

Replacing the time-worn spectacle, opening is an introductory tournament, pretentiously staged and garbed, that starts the program off with a satisfactory flavor. Immediately following the three rings spring into action and the pace is maintained right through to the closing ensemble, and the concert, or after-show, as it's called here, that winds up the afternoon or night performance.

Initial display has Walter McClain, veteran elephant trainer, occupying center ring with Bertha Matlock cavorting with a small herd of bulls, while the end rings have Myrtle Williams and a troupe of educated canines, and Jack Joyce putting his seals through various gyrations Lotus, the 35-year-old Hippo, makes a tour of the Hippodrome track, followed by couple of giant elephants each ridden by a dog and carrying a pony suspended from the huge jaws.

Display No. 4 first introduces the flock of clowns, performing under the direction of Milt Taylor, producing clown. Frank Phillips starts the first fireworks when he demonstrates his prowess with ight male lions in the center steel arena. Phillips works capably and gets the entertainment away to a smart start. A short time later Mabel Stark is in the same arena, working with seven male lions and 12 tigers. Her's is a breadth-taking act put on with expert showmanship that rates her as one of the greatest cat tamers extant. She scores decisively.

Following quickly are further exhibitions by trained canines, an elephant carrying a trainer with his head in the animal's mouth, and then Anna Merkel, who with the aid of a pair of suction shoes is enabled to walk upside-down on a canvas ceiling, high above the center ring. Meanwhile the big top dome is filled with 20 shapely and attractive femme aerialists working flying ladders.

First appearance of Liberty ponies has one group presented by Ova Thornton, the other by Betty Miller. Ring display No. 11 has the Mitzi-Rose Sisters, bareback ballerinas, occupying the center circle, with Miss Betty and Mons. James displaying graceful and skillful bareback riding ability in the other rings. Another invasion of the hippodrome by the clowns, then Janet May, aerial gymnast in a series of one-arm planges. A novelty center ring display has the circle completely filled with elephants, camels and prancing horses while put through their paces by an unprogrammed femme.

Jack Joyce and John White next present groups of eight Liberty horses each in the end rings while Director Thornton puts a like number of striped Zebras through intricate paces. A hippodrome display of widely-gaited horses ridden by Rhea Jack, Betty Rieffenach, Alma Taylor, Dianne White, Shirley Byron and Jack Joyce brings interesting equestrienne achievements, followed by another clown interlude.

Three rings of tight wire walkers introduce Bert Sloan (center), Weber, Morales and Chatita and Tom and Betty Wonder. Sloan electrifies by his speed dancing on the wire and a high jump over a barrier. High trapeze feats by Margaret Merkel and Martha Joyce elicit favorable comment while the Olvera Brothers, pair of nimble perch artists, do some excellent head stands and balancing.

And then The Rieffenachs, comprising three femme and two male riders, including Clarence Bruce, riding comic, and the mother of the troupe who acts as ring master. The riding of this family stands out head and shoulders over average circus riding acts that have played these parts, while the comedy work of Bruce is of the belly-laff producing type. All are graceful, dexterous and talented performers.

Elephant trainer McClain then on with his 17 performing bulls split up among three rings in a series of military maneuvers and pyramids, in which McClain is assisted by Irene Servis, Siva Phillips and Oliva Desmond. Spectacle concludes with a longest column of rearing elephants ever assembled on a single hippodrome track, a stirring climax to an all-round corking good act.

Yom Kam troupe of Chinese acrobats follow in center ring, with The Moratos, acrobats and equilibrists, and The Zapatas, balancers, occupying the adjoining circles. A display of high-school horses in action follows, more clownery, and the aerial finale, the Flying Lorings, in whirling mid-air somersaults and sensational hand catches, followed by the closing ensemble, comprising races of various types, ranging from ponies ridden by monks, to Roman standing contests featuring femme riders. Eddie Woeckener's band again provides the musical interludes.

After-show, staged under the direction of George Cunningham, differs from the ordinary circus concert, particularly in the type of girls employed. Cunningham uses a dozen youthful lookers in various styles of dancing, plus vaude acts and other novelties.

Sideshow, again under the management of Arthur Windecker, features following freak acts: palace of illusions, cartoonist, snake charmer, ventriloquist, Hawaiian troupe, sword swallower, iron-tongued girl, two-mouthed man, three-legged woman, magic and crystal gazer.

*Edwa.*

## Big Ambition

Hollywood, April 5.

A circus razorback at heart, Frank Whitbeck is prepared to offer up to one grand for Anna May, elephant in a collection of animals reported badly underfed at the L. A. Zoo Park, as a result of recent floods isolating the zoo and cutting into daily patronage which supplied the animals with food.

Whitbeck's circus-born love for pachyderms is an open secret, and the Metro studio advertising chief now sees a chance to indulge his yen to own one. Whitbeck some years ago attracted coastwise attention by raising Deuteronomy and Abagail, pair of tame geese, long since deceased.

## Chi Circus War

Chicago, April 5.

Two circuses open against each other again this spring, the Cole Bros. show in the Stadium starting April 15.

On the day previous, the Tim McCoy Wild West show gets underway at the Chicago Amphitheatre, marking the first time that the stockyards auditorium will house a circus. Cal Finney is general agent for the McCoy show with Sam Ward handling publicity and press for the opening dates.

## Sticks to Ohio

Wooster, O., April 5.

J. R. Edwards Attractions, an Ohi institution, will launch its 20th annual tour here May 21. Two new rides and three new shows will be added for the new season.

Entire season's tour will be fined to Ohio. Phil Phillips, will again be assistant to Edwards.

**Sports Center On Coast**

Hollywood, April 5.

Cliff Bowman, Hollywood realtor, has signed the papers for a sports center to be erected adjacent to Republic Studio in San Fernando valley.

Construction will start immediately.

## CIRCUS ROUTES

**Week of April 11**

**Al G. Barnes-Sells-Floto**

Hollywood, Cal., 11-13; Santa Monica, 14; Glendale, 15; Santa Barbara, 16; Ventura, 17.

**Tim McCoy**

Chicago, Ill., [illegible]

**Ringling Bros. Barnum & Bailey**

New York, indef.

# Lute Is Rifting in S. F.

## Chamber of Commerce Feels Affair Is Not Being Handled to Greatest Advantage

San Francisco, April 5.

Replies on a questionnaire submitted by the San Francisco Junior Chamber of Commerce to its membership on various aspects of the Golden Gate International Exposition are now being carefully studied by fair leaders.

A digest of the 216 replies received showed that a majority held the public is neither informed nor enthusiastic about the fair because of lack of publicity, poor publicity, too early publicity, lack of management, lack of public participation and inaccessibility of the fair site to visitors.

They frowned on the use of the 'Pirate Girl' idea and wanted more facts construction progress, concessions and actual accomplishments—particularly admission and transportation prices. Harris Connick, director of the exposition, said these have not been decided yet.

Later in the week announcement was made that admish to expo would be 50 cents for adults and 25 cents for children. Transportation company execs are asking for a 25-cent round trip ferry fare to the Island. City Administrator is out for a 5-cent ferry charge to the fair.

For its major features—entertainment, science, industry and education—the replies gave first preference to science, with industry, entertainment and education following in that order.

The majority held also that the New York world's fair is managing to attract more comment and discussion than San Francisco's project.

The civic body advises that it is not attempting to 'draw conclusions' from the replies, but is merely passing them along to the exposition management.

## CARNEY WORKERS HURT

**Three Helpers Burned When a Gas Tank Explodes**

San Antonio, April 5.

Three carney workers of the Western States Shows were seriously burned last week when a gas tank exploded in a Missouri Pacific baggage car in which they were sleeping.

The injured men are Gerald Wolfson of Dallas, Charles Caldwell of McAlester, Okla., and Vernon Eshelman of Tonawanda, N. Y.

Fire did $2,500 damage to car and to carney equipment, which was being hauled to Corpus Christi.

## Bill Desmond Goes Circus

Charlotte, N. C., April 5.

Barnett Bros. circus, wintering near here at York, will have William Desmond, stage and screen star, as its outstanding attraction in the season that begins this month, it was announced by the circus management. Desmond left Hollywood March 24 and journeyed to York where he began rehearsals for the part he is to play.

Sawdust trail will perhaps prove the longest one Desmond has ridden for the circus plans to traverse the greater part of the United States on its 1938 tour. The show will take the road April 9.

## *News of Dailies*

(Continued from page 54)

6,000 feet is to cover entire setup. Second, in 1,500 feet will deal with a single phase of the league work. Scripts may be in French or English.

Ray Huling donates Charlie, his trained sea lion, to the N. Y. Aquarium. Has retired from the stage on the earnings of his act and wants Charlie to have company and plenty of space. Figures he has gained $300,000 for his seal act.

Circus moved into N. Y. Monday night. Annual parade from stockyards to Madison Square Garden held earlier than usual, starting at 8 p. m.

## Coast

Julian Hochfelder, film writer and son of Dr. Anne Hochfelder, New York attorney and anti-Nazi leader, announced he would wed Viola Samson in Hollywood in May.

Hazel Forbes, film player, took the witness stand in a Los Angeles divorce court, and helped her mother win a non-contested decree from Alcide Froidevaux. Actress testified she does not recall ever having seen her father.

Al Jolson and other screen and radio personalities living in the Encino area lost their fight before the L. A. city council for zoning restrictions.

Action by John R. Roland, Sr., father of the late Ruth Roland, silent picture star, to break his daughter's will bequeathing the bulk of her estimated $1,000,000 estate to her husband, Ben Bard, has been settled out of court. Miss Roland cut her parent off with $100, but Bard consented to increasing the amount to $5,000, plus $3,500 attorney fees.

Mae West's demurrer to the suit by author Mark Linder for $1,000,000 on the ground that he is entitled to a share in the profits she garnered through the sale of 'She Done Him Wrong' to Paramount, was overruled and the actress given 30 days in which to file an answer.

John Hix, cartoonist, and Dorothy Bryan, screen player, were treated at Hollywood receiving hospital for injuries sustained when they were struck by an auto.

Mrs. Edith Morgan Hoffenstein won a decree from Samuel Hoffenstein, Metro scenarist, on charges of mental cruelty. Financial settlement nets her around $100,000.

Vera Reynolds, silent picture star, and Robert Ellis Reel, screen writer, were remarried in L. A., ending a long court battle.

Immediate division of the community assets of Warner Oland, now in trusteeship as result of a separate maintenance decree won by Mrs. Oland last fall, was ordered by a Santa Barbara judge.

Mary Maguire, former Warners player, won court approval on her new 20th-Fox contract, which provides for a starting salary of $750 weekly and reaches $2,500 if all options are taken up.

## N. Y. Fair Acts

Syracuse, April 5.

Plans for making this year's N. Y. State Fair greatest in history are outlined in plans submitted by Paul Smith, newly named director. With two weeks to work with, Smith is dividing evening shows, with musical girlie shows first week; second, Rodeo attraction which successfully played fair last season. Edwin Franko Goldman's band daily concerts at both shows and race course.

Rubin & Cherry shows on midway, with George A. Hamid in charge of arrangements. Acts booked to date include: 5 Juggling Jewels, Will Morris & Bobby, Dr. Ostermaier's Doheos, Flying Otaris, Great Peters, 4 Arleys, Stephani Sisters and Kanazawa Troupe.

Daily fashion shows are booked, with N. Y. models staged under direction of Hamid's musical department. Night review billed as 'Review of Tomorrow' with acts to fill.

## N. O. Park No More

New Orleans, April 5.

Stock's scenic park, famous old amusement center, where boys of another generation peeped at French postcards in a penny arcade, is being torn down to make way for a residential subdivision.

The property, located in an exclusive section of the city opposite City Park, will be divided into 14 lots. It was operated as an amusement park with roller coaster etc., until recently.

## Old Park Passes

Columbus, April 5.

Olentangy Park, 42-year-old amusement center, will be wrecked to make way for 400-family apartment project Columbus' North Side.

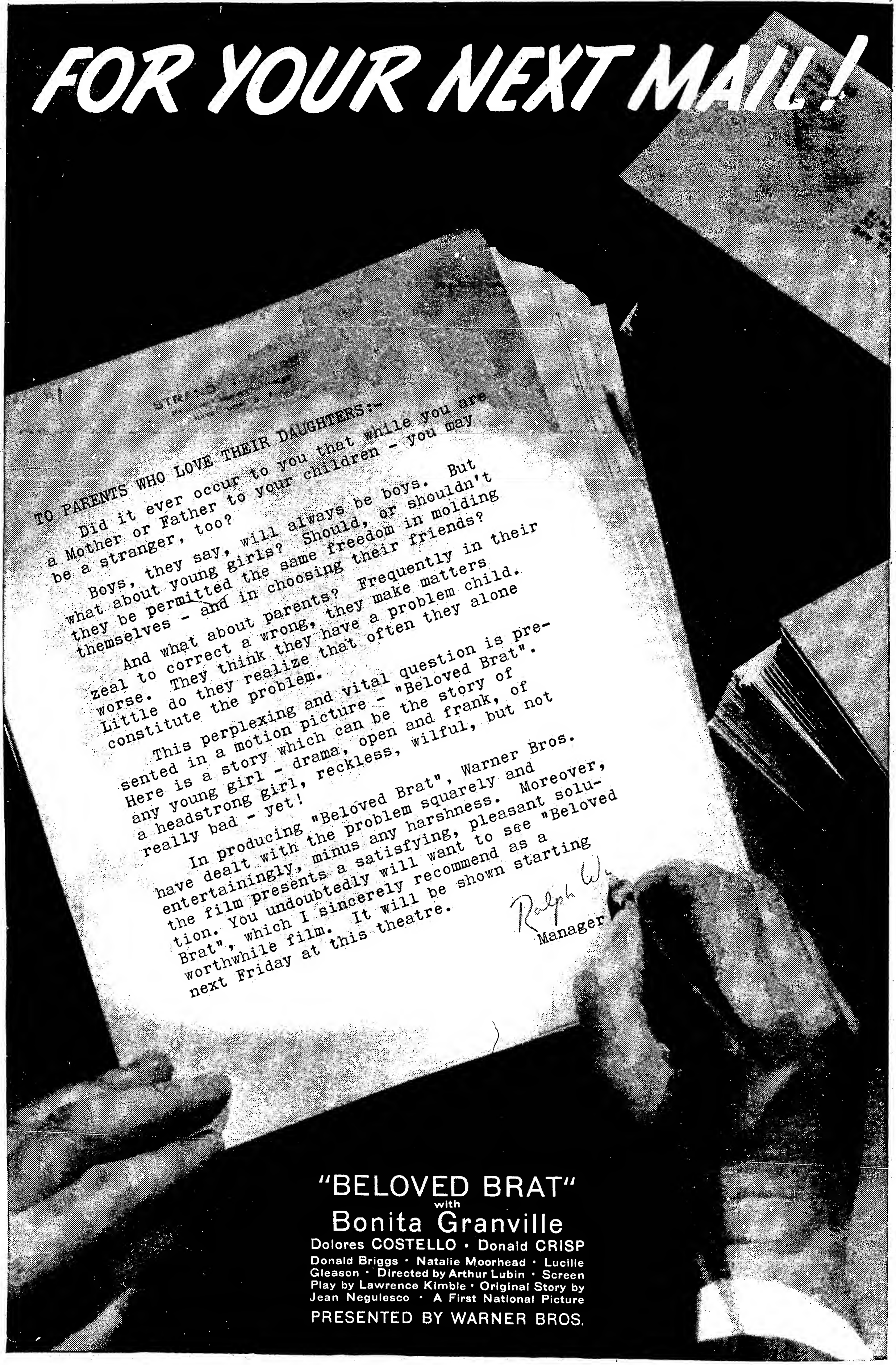
Only swimming pool will remain on 66 acres occupied by park. Animals go to Municipal Zoo.

**CALL IT SUICIDE**

Sarasota, Fla., April 5.

Coroner's jury last week decided Eugene Fleck, 31, member of Flying Wallenda troupe of circus performers, committed suicide. Fleck's body was found March 29 in a small cemetery about a half mile from his home with two bullet holes in his head, inflicted with .22-caliber automatic pistol.

Fleck was a high-wire performer.


FOR YOUR NEXT MAIL!

TO PARENTS WHO LOVE THEIR DAUGHTERS:-

Did it ever occur to you that while you are a Mother or Father to your children - you may be a stranger, too?

Boys, they say, will always be boys. But what about young girls? Should, or shouldn't they be permitted the same freedom in molding themselves - and in choosing their friends?

And what about parents? Frequently in their zeal to correct a wrong, they make matters worse. They think they have a problem child. Little do they realize that often they alone constitute the problem.

This perplexing and vital question is presented in a motion picture - "Beloved Brat". Here is a story which can be the story of any young girl - drama, open and frank, of a headstrong girl, reckless, wilful, but not really bad - yet!

In producing "Beloved Brat", Warner Bros. have dealt with the problem squarely and entertainingly, minus any harshness. Moreover, the film presents a satisfying, pleasant solution. You undoubtedly will want to see "Beloved Brat", which I sincerely recommend as a worthwhile film. It will be shown starting next Friday at this theatre.

Ralph W
Manager

"BELOVED BRAT"
with
Bonita Granville
Dolores COSTELLO • Donald CRISP
Donald Briggs • Natalie Moorhead • Lucille Gleason • Directed by Arthur Lubin • Screen Play by Lawrence Kimble • Original Story by Jean Negulesco • A First National Picture
PRESENTED BY WARNER BROS.

RADIO | SCREEN | STAGE

# VARIETY

15¢

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# CAFE SOCIETY ON THE CUFF

## Industrial Films Now a $20,000,000 Business; Has Some 6,000 Playdates

Large industrial companies are becoming so thoroughly sold on the screen as a medium of ballyhooing their firms and their product that the sponsored film, whether a two-minute quickie, a short feature, or a four or five-reel production, promises to develop into a miniature industry on its own in the next few years. Conservative estimates made this week are that approximately 80 different firms will spend $20,000,000 to $30,000,000 in the next three years for sponsored screen productions of one type or another.

Right now commercial film producers, who devote their energies entirely to the ballyhoo variety of pictures, and advertising agencies figure to cut themselves the biggest slice of this business. It's a question of considerable doubt as to just how long major picture companies or some of their smaller subsidiaries will remain on the sidelines and watch this business being taken away from them.

Several major companies have a finger in small producing or distributing firms. Consequently, it would not be difficult to swing into the new field if conditions appeared to warrant going for this added gravy in a big way. The thing that probably will prove the deciding factor is the manner in which currently produced films, with advertising that is fairly well concealed, are received by exhibitors and the picture public. Estimated that about 6,000 houses now are using commercial films regularly.

If the number of exhibitors willing to play advertising or semi-commercial films grows, larger companies might experiment either with

(Continued on page 21)

## Schnoz Kissed Femme Customer; He Settles $5,000 Suit for $300

Pittsburgh, April 12.

Although he informed newspapermen here a year ago through his manager, Lou Clayton, that he'd fight the case to a finish Jimmy Durante in the meantime apparently had a change of mind in the matter of a $5,000 suit brought against him by a local woman for holding her up to ridicule. Schnozzola's Pittsburgh attorney, Frank R. S. Kaplan, quietly settled things out of court for him with the payment of $300 in cash.

Woman was in the audience at the Penn in 1935, last time Durante played here, and during his act, she charged, he walked down the aisles making personal remarks to customers and stopped and kissed plaintiff when he came to her. Insisted she was humiliated and immediately filed claim for damages. Suit was up for trial last year, but Durante won a postponement because he was playing on Broadway in 'Red, Hot and Blue' at that time. [illegible] ay.

### Bad Showmanship

Fort Worth, April 12.

Warden W. W. Waid of the Texas prison system has requested all Texas judges not to set execution dates for Thursday.

Waid explained that prisoners broadcast for the WBAP prison show, 'Inside the Walls,' on Wednesday nights, and since all Texas condemned men are executed during the first minute of the day, an execution scheduled for Thursday would work a hardship on nerves of the prisoners taking part in the program.

## N. Y. POLITICAL CABARET IDEA, A LA EUROPE

Left wing nitery is planned for New York next season. Idea is still formative, but a gesture in that direction will be made when three benefits are tossed at Chez Firehouse, nitery connected with the American Music Hall, N. Y. First blowout is skedded for May 2, under the auspices of the Theatre Arts Committee.

Such entertainment, known abroad as 'political cabaret,' consists of presenting material of a satirical nature, with lampooning of public figures and contemporary events a specialty. It was at one time quite common on the continent, notably the Kabaret der Komiker in Berlin, the Dix Heures in Paris, etc. That, however, was before the spread of European dictatorships.

Nitery motif, presenting contemporary satirical material, would be a blend [illegible] the Gridiron Club shows and 'P[illegible] and Needles.'

## Break-In Spot, But Try and Break Out

[illegible] shows [illegible] getting [illegible] his din- [illegible]

## BORED AND GRAND BUT NO SPENDERS

### They're Welcome for Publicity Reasons but Not Popular as Human Beings—Poor Tippers and Big Demanders

### LURE THE YOKELS

By ABEL GREEN

That so-called and much-photographed cafe society is largely deadhead is more or less of an open secret in the fashionable east side nitery spots in New York. It's the best free ballyhoo for the bistro bonifaces, of course, because so-so-smart ones are the standard-bearers who lure in the cash-and-carry customers.

Well-heeled peasant gets considerably less for his coin than the frightfully debonair customer who is in. It's all a suave little system that's been going on in New York's nitery belt for some time.

Cuffo society is the shill and the

(Continued on page 10)

## Pro-Nazi, Rebel Hispanic Films Now in America

Undisclosed major filmers are attempting to buy up 5,000 feet of pro-Nazi reels recently arrived in U. S., according to film curb. Purpose is to ashcan negative along with rejected rebel Spanish reels formerly here.

German stuff has sanction of Deutsch government and was glommed to draw advantages of Nazism, the cause and effect of the present regime, and its attitudes.

Rebel Spanish reels were in U. S., but were forced out of the country because of alleged governmental pressure. Shipped back to England, they are back again in Canada awaiting final rebel victory and recognition of that government. Originally brought here to buck 'Spain Aflame,' 'Spanish Earth,' etc., brought over by Loyalist interests.

### NEW DWARFS, ALL HAIRYS

Lynchburg, April 19.

Before 'Snow White' ended a 10-day stand here Paramount had combed the backwoods for kids who'd never been to town before.

In order to make the youngsters presentable before showing 'em the mainstreet sights (tallest building, 18 stories), county authorities set up a barber shop in the schoolhouse and snatched plenty [illegible] h.

## Court Jesting to H'wood Nobility Is Fatal, Aver the Now Wary M.C.'s

Hollywood, April 12.

Death-trap of Hollywood, wisecrackers are beginning to learn, is acting as master of ceremonies at banquets. More names have been trapped into that spot and have found, after the laughter has died down, that the chill is on them (and all because one guy didn't laugh) than would make a complete bill [illegible] the old Palace.

Many accept the 'honor' for no honorarium, figuring it will draw some producer's attention to their talents and set them for at least a short-termer. Elsewhere they would demand at least $150 for acting as a good-humored traffic cop in the realm of public speaking, but in Hollywood they do it for the publicity.

Role is supposed to approximate in the modern world what the court jester to the king approximated in the middle ages, but unfortunately kings don't stay put in Hollywood and so the guy you ribbed today is a big shot tomorrow and the guy

(Continued on page 53)

### Little Lord Jeff

Hollywood, April 12.

London version of the Broadway stage mother has hit town. Mater of a 10-year-old British moppet was heard giving instructions to the kid on the set of 'Lord Jeff,' at Metro.

'Now, Gerald,' she said, 'remember what I told you about always acting like a little gentleman, so don't mix with those extras.'

## STRIKE CALLED, BUT CIRCUS GOES ON

A half hour before the curtain of the Ringling Bros.-Barnum & Bailey Circus at Madison Square Garden, New York, the American Federation of Actors last night (Tuesday) called a strike against the outfit. Wage scale dispute of the workmen in the outfit—not the performers—brought about the impasse. Right up until show time, with tickets being sold for the night's performance, despite picketing which went immediately into effect, the new manager, young John Ringling North, was trying to effect a settlement with the AFA. However, the show went on with performers handling their own props and putting up rigging.

Circus management took the stand from the start that the union was dictatorial, and hadn't lived up to its agreement for arbitration at least 10 days before any order to walk out. Attempt last night also by Mayor LaGuardia to mediate brought cool response from the AFA officials. Buddy Ringling North, in charge of

(Continued on page

## Burton Holmes at 67 Just Completes His 45th Lecture Season

St. Louis, April 12.

Burton Holmes, who finished his 45th season as a travel-lecturer in St. Paul today, enjoyed one of the most successful seasons in his career during which he grossed approximately $78,000 for 88 appearances. The top take for a single appearance was in St. Louis on March 14 when he presented his pics and talk on Germany and collected $1,865 in the Municipal Auditorium with the house scaled 50c-$1. So popular was the lecture in this heavily populated German community that it was re-

(Continued on page 53)

## Nude Terper's Encore As a Bride Gets Okay Of Det. Judge; No Divorce

Detroit, April 12.

After testifying that his wife Zorine, nudist hoofer, danced practically in the raw at their wedding party, Myron B. Lloyd, Jr., manager of the Oasis nitery here, was refused a divorce last week in circuit court here.

Lloyd, seeking to avoid payment of $60 weekly alimony, testified that he is just a glorified errand boy for his father, who owns the Oasis, and that his father boards him and hands out expense money. Court denied separate maintenance or attorney fees to Zorine, who recently sued Samuel Goldwyn and Zorina, a ballet dancer in the 'Goldwyn Follies' film, for $500,000, claiming infringement on her name.

Judge Ira Jayne, in refusing Lloyd the divorce, pointed out that 'if the defendant's nudity was good enough to attract customers to the nite club, it couldn't have been bad for a wedding party.'

## London Prize Fight Televised 36 Miles

London, April 12.

Television got another showing here last week with first televised prize fight pictures.

Len Harvey and Jock McAvoy fracas Thursday night (7) was pictured on receiving apparatus 3[illegible] miles away from the ringside. Cameraman kept contestants centered in the picture throughout.

# JACK L. WARNER DECRIES THE 'WILD GUESSING' AMONG FILM PRODUCERS

## Crazy Ideas Don't Mean a Dime, He Says, in Pleading for Return to Fundamentals—Sears' Squawk Against 'Degradi ' Merchandise Giveaways

Hollywood, April 12.

Jack L. Warner has issued an appeal to the motion picture industry to discard modern ideas that have proved meaningless in swelling customer ranks and return to the fundamentals of film making that actually lifted the business to the gigantic enterprise it has become.

Warner's statement came on the heels of a series of conferences he and Hal Wallis conducted with Gradwell L. Sears, general sales manager for Warners.

'It's about time the business got back to the fundamentals of motion picture making and tossed into the junk heap a lot of crazy ideas which don't mean a dime at the boxoffice,' said Warner.

'At the present time, the business is suffering somewhat from pernicious boxoffice anemia due, in part, to a flock of wild, uncommercial guesses as to what the public wants by way of entertainment.

'Warner Bros., for one, is going to stick to the fundamentals of motion picture entertainment. Our studio will concentrate on down-to-the-boxoffice type of pictures that meet with general public appeal. And that goes for our entire lineup.

**Study Audience Reaction**

'During the past six months we have been closely studying audience reactions to our productions and those of other studios. We have definitely established the fact that nothing but pictures which are down to audience appreciation levels will count with the public in the coming year.

'As far as Warners is concerned, pictures with limited audience appeal are out, particularly in these days when no studio can afford to produce pictures which do not have 100% audience values.

'We will invest our productions with a new-type music score. After months of research and musical experimentation we have discovered a new and novel technique. We are fortunate in having under contract such outstanding composers as Erich Wolfgang Korngold, who is scoring 'The Adventures of Robin Hood,' and Max Steiner, who wrote the magnificent score for 'Jezebel,' to materialize these sensational ideas.

'Smart, sophisticated comedies, which frequently are blah at the boxoffice, are on the taboo list. Our comedies will be aimed directly at audience appreciation. Otherwise, they haven't a chance of getting onto our production schedule.'

'Warner and Wallis were emphatic in stating that the company will at once cease publicizing tentative titles, and definitely make a permanent title selection before the publicity, exploitation and advertising heat is turned on. Exhibitors will, therefore, benefit to a greater extent as all publicity will accrue to the final title, they pointed out.

'Before we decide to make a picture,' Warner continued, 'every story will be closely examined from the angle of exploitation as well as boxoffice value. No company can afford to go into production blindly nowadays. We must have definite assurance that the resulting picture will have genuine boxoffice significance.

**Groom Six for Stardom**

'We positively plan to groom at least six featured players for stardom during the year ahead. We shall be guided in this move by results of the poll, which will be conducted through our branches throughout the country to determine the boxoffice values of our contract players. The roster which will be closely scrutinized for starring material includes:

'Priscilla Lane, who has just completed her role in 'Cowboy From Brooklyn'; Anita Louise, who next goes into 'In Every Woman's Life,' with Kay Francis; Ronald Reagan, who has repeatedly appeared in excellent roles; Anthony Averill, whom I believe has a great future on the screen; Rosemary Lane, who scored in 'Hollywood Hotel' and who has just finished work in 'Gold Diggers of Paris'; Gale Page, now playing with Edward G. Robinson in 'The Amazing Dr. Clitterhouse,' after a fine performance in 'Crime School'; Jane Bryan, who scored in 'A Slight Case of Murder'; Gloria Dickson, who has her most important role to date in 'Gold Diggers of Paris'; Marie Wilson, now working in 'Boy Meets Girl' with James Cagney and Pat O'Brien; Ann Sheridan, who next goes into 'The Singing Cop'; Bruce Lester, English import, and James Stephenson, who has his initial featured assignment in 'Cowboy From Brooklyn'; Humphrey Bogart, now working in 'Dr. Clitterhouse'; Melville Cooper, who scored in 'Tovarich' and just finished an important role in 'Gold Diggers'; Johnny (Scat) Davis, who is playing his first top role in 'Mr. Chump'; Dick Foran, who gives a fine performance in 'Over the Wall' and next goes into 'The Singing Cop'; Patric Knowles, who was outstanding in 'Robin Hood,' and Penny Singleton, now playing in 'Mr. Chump' after being acclaimed for her work in 'Sing Your Lady.'

**ishes'**

Grad Sears, general manager of distribution, now back in New York, announced on the eve of his departure for the east that he will not permit any big pictures to be 'polluted by a lot of dishes and ice cream cones' as giveaways to build patronage. Sears also revealed that his recent statement denouncing the practice of passing out free merchandise and operating games as degrading to the theatre business has brought him more than 3,000 letters from exhibitors in the United States, Canada and European countries. While some theatre operators, he pointed out, argued for giveaways during the current recession, the majority asserted that quality films are all that is needed to build up the boxoffice take.

Sears made these statements with particular emphasis on big films such as 'Robin Hood,' deploring any merchandise hypo. 'Hood' goes into Radio City Music Hall May 5, with national release set for May 14.

## 'LITTLE OLD NEW YORK' REMAKE BY 20TH-FOX

Hollywood, April 12.

'Little Old New York' gets a remake by 20th-Fox on strength of the box office showings by 'Old Chicago.' Alice Faye draws the lead, film to get a heavy budget.

Marion Davies starred in the original Cosmopolitan production.

## 'Wonderful Time' Ends

Hollywood, April 12.

RKO's 'Having Wonderful Time' is undergoing its final editing, re-takes costing $100,000 having been completed

Picture features Ginger Rogers and Douglas Fairbanks, Jr.

## Hays En Route West

Will Hays left for the Coast Sunday (10) to be gone about a month. He stopped off at Sullivan, Ind., his home town, for a brief visit, expecting to reach Hollywood today (Wed.).

Hays will be back in time for the quarterly directors meeting in June.

## Fooling April

By JACK OSTERMAN

April 1, for some reason unknown to us got to be known as April Fool's Day. We were born April 8 celebrating our 35th year on this earth, thereby fooling a lot of people. Anyone born during April comes under the star of 'Arius' meaning goat; maybe that's why we haven't played Loew's State in the last five years. Eddie Darling was born under the sign of the Palace theatre and is still doing okay. Winchell (born April 7th) fooled many by becoming ace columnist and Bernie fooled him by becoming an actor. But after all, isn't the whole racket April Fool's Day? We were fooled by a snowstorm last week and immediately cancelled our spring coat for a raccoon. This will probably be the only Easter parade where the well dressed woman will wear ear-laps and mi , and ski down Fifth Avenue. Lou Holtz fooled us by not changing his writers last week, and Eddie Cantor fooled us by only mentioning Ida once.

Rudy Vallee fooled the world by staying on top of the radio heap 11 years and Nick Kenny fooled us with a poem that's good. Another Nick fooled 46th street by turning the Variety Barber Shop into a paying proposition and a newsreel fooled us by not showing Roosevelt. Only we were fooled by being able to write this column off and on, for the past five years.

Here is one thing we would like to emphasize—don't let those two guys across the water fool us. Let's mind our own business and fool them for a change!

**Thoughts While Thinking**

Suggested theme song for Edgar Bergen to sing to McCarthy, 'I See Your Face Before Me'... there's a town in Texas named, Panhandle;... branch offices all over Times Square ...Jack Benny told us Jolson promised Ruby he had sworn off betting on the nags, and on their way to Benny's new home she asked, 'Al, how far is it?' Jolson answered, 'Only six furlongs more'...Joe Rines, who debuts on the St. Regis roof, while we debut at the St. Regis lunch, called to tell that while he and Don Shaw were in Havana, a man came up to them and asked, Who's in the cast of 'Snow White.' Joe, thinking it was a Cuban rib, told him, 'Spencer Tracy, Joan Crawford and Judy Garland.' The man answered, 'I'll go, but only on account of Garland!'...'Prologue to Glory,' swell phase of Lincoln's life, reminds us of the time when Frank McGlynn was playing 'Abraham Lincoln' at the Cort Theatre years ago. He became so engrossed in the part, he grew a beard, then started wearing on the street all the props . . Lincoln's clothes, high hat 'n' everything. Whereupon Bugs Baer remarked, 'That guy won't be satisfied until he's assassinated! . . . first one ever to have her own hot trumpet in the pit was Blossom Seeley; boy's name was Ray Lopez . . . does the child labor law affect Betty Lou, Charlie McCarthy and Baby Snooks?

## Zanuck's Polo Vacation

Hollywood, April 12.

Darryl Zanuck, 20th-Fox production chief, has made reservations aboard the Normandie, sailing from New York June 1. Arriving in England, he plans to spend his seven weeks' vacation in London and Paris, participating in international polo matches in both cities.

Two functions will be given in his honor, one in the British, the other in the French capital, at which he will meet his company's foreign executives and sales representatives.

## Other News of Pix Interest

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loses first skirmish with Shuberts........................Page 40
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## SCRIPTS AT 35C

### Studios Want to Know How Old Book Stores Got Them

Hollywood, April 12.

Film studio executives have launched an inquiry into the source of supply of a dozen or more secondhand book shops now selling original film scripts at prices ranging from 35c. to 75c. Many of the mimeographed tomes bear the name of the film company, such as 'This is the property of Metro-Goldwyn-Mayer. For confidential use.'

Stores handling them have been doing a thriving business among embryo screen writers, who learned via grapevine that the stories are being offered at bargain prices.

Major company execs are anxious to ascertain whether all scripts offered are from films already produced, or whether some were prepared for films that have not yet gone before the cameras.

## HOW 'B' GROWS TO 'A' IN H'WOOD

Hollywood, April 12.

When Paramount first budgeted 'Prison Far ,' which went before the cameras yesterday (Monday), the production was entered in the B column on the studio ledger, but mounting costs, due to script trouble and production delays, have since elevated it to A classification in the matter of expenditures. William Frawley has the featured role, with Lloyd Nolan, Shirley Ross, John Howard and J. Carrol Naish. Louis King is directing.

Picture was originally skeded for a start last September.

## MORE WM. FOX LEGAL MANEUVERING; IN D. C.

More assistance from the U. S. Supreme Court in unraveling the tangled financial affairs of William Fox was sought Monday (10), Withdrawing a prior request for reinforcements, Hiram Steelman, administrator of the bankrupt film tycoon's estate, requested the highest tribunal to review a decision of the Third Circuit Court of Appeals upsetting an order by which All Continent Corp., personal holding company of William and Eva Fox, was directed to unveil its records.

Week earlier, Steelman had asked the court to help him get a peek at the records before assets are dissipated by ordering the appellate body to hand down its delayed ruling on the legality of the order for examination of the books. Within a short time, the decision was rendered, giving Steelman another setback.

Most vital issue in the entire bankruptcy mess is whether the property and capital stock of All Continent belongs to the Fox estate, Steelman said, remarking that Fox turned over liabilities of more than $9,500,000 and assets comprising only $100 and notes and securities of slight worth.

Majority of the circuit court held the New Jersey District Court lacked power to compel All Continent to give Steelman a peek at its ledgers, even though both the referee and the bankruptcy court were satisfied of the need for an examination.

Question is important, Steelman contended, since courts conflict on whether a corporation filing a claim against a bankrupt must submit its records for examination.

Because of the slim possibility that the William Fox bankruptcy controversy now going on in New Jersey will wind up in the near future, N. Y. Federal Judge Alfred C. Coxe yesterday (Tuesday) granted the request of attorneys for the Capitol Co. of Seattle to extend its individual proceedings against the former picture magnate for another two years. Capitol has been trying to collect $200,000 of the $295,000 judgment awarded it nearly a year ago from Fox. A contempt order resulting from Fox's refusal to settle the judgment is also pending the windup of the Jersey proceeding.

In its petition for an extension of its case, Capitol states that it will require the N. J. trustee almost another couple of years to conclude the bankrupt's affairs in that state. At present the trustee is fighting to have the transfer by Fox of property to his wife and others set aside as a fraud against his creditor

## WB'S 60 AGAIN; MULL SALES PROCEDURE

Expecting to schedule 60 pictures again for the 1938-39 season, Warner Bros. has not yet decided whether it will hold one national convention or follow the trend of other majors in merely holding district manager regionals. Grad Sears, who returned to New York Monday (11) from the Coast with Carl Leserman and Charlie Einfeld, is pondering the matter now.

Meantime, Warners is planning to hold trade screenings for buyers, exhibitors and others in exchange points in July, at which time all available product for '38-39, ready at that time, will be shown. Last year this was done in August. It is expected at least 10 top pictures for next season, plus shorts, will be ready for screening by July.

Sears is holding meetings at WB headquarters this week to further discuss setup for the coming year, as well as convention plans, etc.

## 'Yank's' British Gross Alone Will Take Metro Off Its 900G Prod. Nut

London, April 12.

'Yank at Oxford,' Metro's Britis made with Robert Taylor, bagged over $40,000 on its first week at the Empire. Take is equivalent to usual gross of Garbo films and was only exceeded by a small margin by 'Mutiny on the Bounty' and 'Broadway Melody.'

Picture is regarded as the most solid British film ever made and British takings alone will probably equal the negative cost which was $900,000.

## Kaufman to 20th-Fox

Hollywood, April

Eddie Kaufman, for the last five years an RKO producer, has been signed to a two-year contract by 20th-Fox as an associate producer.

He will be assigned to the Sol Wurtzel unit.

## SAILINGS

July 20 (Los Angeles to Melbourne), Nell Kelly (Mariposa).

May 6 (New York to Paris) John Byram (Veendam).

April 27 (New York to London) Vivi-Anne Hulten, Alfred Trenkler (Ile de France).

April 16 (New York to Genoa) Sidney R. Kent, Mr. and Mrs. Spencer Tracy, Walter J. Hutchison (Rex).

April 14 ( est Indies cruise), Mr. and Mrs. George Lait (Empress of Australia).

April 9 (Los Angeles to New Ira Ashley (California).

April 9 (Los Angeles to Honolulu). Mr. and Mrs. Jack Warner, Mr. and Mrs. Russell Birdwell (Matsonia).

April 9 (New York to Naples) Paul Longone, Dusolina Giannini, Carlo Tagliabue, David Blum (Saturnia).

April 1 (Los Angeles to Naples Warner Oland (Rialto).

## L. A. to N. Y.

Neil Agnew.
John Murray Anderson.
Irving Applebaum.
Don Becker.
James Warner Bellah.
William Gaxton.
Igor Gori.
M. C. Levee.
Jake Milstein.
F. C. O'Keefe.
Herman Robbins.
Arthur Rosenstein.
Sam Schneider.
Si Seadler.
Leo Spitz.
Gardner

## N. Y. to L. A.

Will H. Hays.
Anita Loos.
Harry Oshrin.
Nicholas M. Schenck.

## ARRIVALS

J. Don Alexander, mere, Kitty Jantzen.

# H'WOOD FAVORS ORIGINALS

## WHY NEELY IS A BAD IDEA

**The** picture business is faced with an important crisis on the Neely bill. It's more than the mere threat of adverse legislation that would be damaging to the industry.

ain issue is what the industry, as a whole, intends to do about national and state legislation, unmistakable trends of which are towards business regulation, restrictions and limitations. The heavy and inexpert hand of the politician has given the paternal pat on the back to many industries which later have awakened to find the fingers of Government deeply rooted in the administration of business affairs.

**Reform** of business practices for the public welfare is the key which the politician uses to open the door to interference and control of private enterprise. Too frequently there has been justification for political and legislative regulation when the leaders of an industry, in their public-be-damned attitude, carry liberty of action to the point of license under some cockeyed theory that a healthy bank account gives its owner the right to push his neighbors off the sidewalk.

**There** has been some of that attitude in the film industry from time to time over the years, but it never long succeeded because the business, founded on an art, always has progressed through the inventiveness and ingenuity of the craftsman, and talent and brains are something that mere money power cannot long hold in check.

**Currently,** the opposing forces in the film industry are drawing the business into a situation where the referee of a fair fight always ends up by spanking both contestants and telling them where to get off. Motion pictures is not the first industry which has become legislatively involved because its component interests are either too short-sighted, or too impotent, to force self-regulation of industry affairs instead of running to politicians for help.

**Destiny** of the Neely bill with the present Congr s is a small matter compared to the fact that it never should have been introduced in committee, or permitted to be reported out of committee. It never, in fact, should have been devised in the first instance.

**There** will be those who will hail the defeat of the Neely bill as a victory of some kind or other. The bill should be defeated, but no one has ny right to light bonfires.

**There** is a movement afoot within the film industry to organize another roundtable discussion, out of which will come some permanent adjustment of strictly trade practices, that can only and best be handled by men experienced in the industry with knowledge of how it works. Picture business needs all the good pictures that Hollywood can produce, and it needs all possible revenue from public admissions to encourage and pay the bill for product—and have a surplus for sturdy exhibition development.

ith respect to distri ition

**The** very interests which will fight hardest to retard the plans for an industry conference are the very interests that have most to gain in the long run from self-regulation, and the most to lose from governmental control.

**It** isn't a question of selecting the lesser of two evils: it's a matter of oing a thing right, or having it done wrong by some one else.

## Oscar Deutsch's UA Realignment Proposals for His London Houses

London, April 12.

Realignment of product deals and circuit outlets looms in present United Artists discussions in which Samuel Goldwyn, Oscar Deutsch, Alexander Korda, Douglas Fairbanks, Sr., Murray Silverstone, Charlie Chaplin, Mary Pickford and two insurance companies are participating.

Right now Deutsch appears dissatisfied with his tieup with U. A., his claim being that the American company was not bringing him as consistent a supply of pictures as he counted on for his Odeon circuit. Belief is that this dissatisfaction brought Goldwyn and some of the others here to thrash out the matter and, if necessary, spread their distribution setup wider by inviting outside producers both here and in the U. S. to release through United Artists.

Latest indications are that the Odeon chain might not retain first call on ace features if some massive product outlet can be framed. Goldwyn is understood to be dissatisfied with the current Odeon releasing arrangement, believing he might do better with his own pictures if he could place them on the open market. He is credited with having suggested a new arrangement.

This new arrangement would leave him a loophole to offer his pictures outside of the Odeon circuit. He would give certain product to the Deutsch chain, but not necessarily give it preference.

Indication of how badly Deutsch feels the dearth of strong product lies in his threat to cancel all Gaumont-British newsreels out of his houses if he does not get a better break from C. M. Woolf on pictures. Woolf releases Gaumont, Universal and other product.

Right now it looks as though United Artists would come out on top because the new deal, which proposes a working alliance with Lord Portal, Arthur Rank and Woolf, means that U. A. films will be assured of Gaumont release over here. Pact possibly would give U. A. about 1,000 theatres in England for roduct release.

## SCULLY FOLLOWS FOX TO U'S COAST PLANT

W. A. Scully, Universal's general sales manager, may get away for the Coast on his delayed trip out there by the end of this week to discuss production for the balance of this season as well as plans for the 1938-39 semester. Matty Fox preceded him west, while Blumberg meantime continues his stay on the Coast.

Getting out the full program of 40 promised for this year, the studio will include six pictures of 'A' budget rating, four of which are in production now, two others preparing.

Dave Lipton, advertising manager of U, left yesterday (Tues.) for Buffalo for opening at Lafayette there of 'Goodbye, Broadway.' He goes on to Chicago in connection with premiere at Palace of 'Mad About Musi .'

## SAVINGS SEEN IN HOME-GROWN MS.

### Zanuck Way in Retreat from Play and Book Scripts—Most Plants Warm Up to Own Hatchery—Columbia's 'Take It' Costly Example in Film-Fitting

### IDEA

Hollywood, April 12.

riginal stories have come into their own as screen material. After three years of registering steady gains over legit plays, novels and published short stories, they are now poised for a record spurt during the 1938-39 filming season.

For years on end studio production bosses have been pro-ing and con-ing the situation without reaching a decision. Now they are definite. Yarns authored solely for cinematic purposes offer greater celluloid entertainment values, is the conclusion at long last. Then, too, the fact that the originals cost far less than stage or literary material jig-saws perfectly into the current cry of the bankers and home office execs for economy in picture making.

Drum major in the march toward the new trend has been Darryl Zanuck of 20th-Fox. Even when he was with Warners, the Westwood lot's production boss was decrying the costly and ofttimes almost worthless plots bought from Manhattan producers and publishers. When he moved over to 20th Century, with the birth of that company, and was given a free hand in the matter of material, he immediately set out to build a scribbler organization capable of developing originals, as well as adapting and scripting them. With his company's absorption of the old Fox outfit, and the accompanying need for more pictures, he increased his force of original writers rather than reaching out into the play and book marts.

**Follow the Leader**

Receipts on 20th-Fox pictures at the box-offices have played an important part in drawing recruits to the Zanuck idea. William LeBaron and Charles R. Rogers, respectively production toppers for Paramount and Universal, are following in his footsteps. Spokesman for another company was frankness personified: 'We are for original stories because we can make better pictures cheaper.'

Since assuming command at Westwood in 1935, Zanuck has filmed 89 originals, including the 'Chan' and 'Jones Family' groups; 31 stage plays, 25 short stories and 21 novels. On his recently announced schedule

(Continued on page 24)

## Employment Pickup at All Film Studios; Looks to Be at Normal Strength Within This Month

ollywood, April 12.

Employment pickup at nearly all studios will approximate normal strength by the end of this month. RKO is taking the lead in restoring workers to payroll, with around 2,500 returning for envelopes by April 25. Production goes into high and skilled workers are being hired by hundreds daily. Universal, as of arch 30, was reported in its best condition since the new regime with around 2,500 drawing weekly checks, a new high. In the past month some 1,200 artisans were added with the construction department working three shifts daily.

After hitting a new production low last week with only one picture i work Warners is climbing back to normal with 10 films teeing off in the next three weeks. Pickup means the hiring of many hundred workers on the back lot. Paramount is putting 10 pictures into production by June which will require gradual rehiring of around 1,000 workers, mostly in technical departments. Selznick-International, operating for the past three months with a skeleton crew is augmenting its present technical crew by over 500 by May 15. Over 300 will be put back to work by thi month's end.

Metro joins production upbeat y putting 800 in the pay line within six weeks. Pickup is to be gradual, with office workers and technicians dominating re-employment.

Hal Roach is adding 300, after operating with a staff around 100. All studio branches share in the growth of new workers. David Loew, producing for Columbia release, is adding 200 within two weeks when Joe E. Brown's picture, 'The Gladiator,' gets under way. 20th-Fox is not affected by employment pickup, as the studio has operated at normal strength, since Darryl Zanuck always has six or eight pictures in work the year around. Layoffs have been few and payroll varies little over the year.

## 65c OF EVERY FILM $ SPENT LOCALLY

igures compiled by the statistical division of the Motion Picture Producers & Distributors association show that 65-70% of every dollar taken in at the box office is spent in the community where the theatre is located. This goes for rent, advertising, real estate taxes, fuel, light, power, payroll, supplies and insurance.

Though operating costs vary according to locality and other conditions, typical 1,500-seater in a city of about 100,000 population shows 27.1% of every dollar going for film rentals and extra attractions. Payroll takes about one-fourth of the dollar.

For such an operation, real-estate, including insurance, taxes, rent, interest and depreciation takes 15.2% of total. Gross profit for such a house before corporation and income taxes is figured at 8.8%.

## NICK SCHENCK WEST FOR STUDIO HUDDLES

Hollywood, April 12.

Nicholas M. Schenck trained in Monday for confabs with studio execs.

Several executive conferences are planned during his stay.

### OLAND'S LONG REST

Hollywood, April 12.

Warner Oland is on the high seas en route to Europe via the Panama Canal; seeking restored health following a nervous breakdown. He will be gone more than three months.

'Charlie Chan' of the 20th-Fox lot will visit Italy, France and England, as well as his native Sweden.

## U. S. Supreme Court Now Has Dallas Case Appeal Under Advisement

Washington, April 12.

ight of distributors to impose uniform conditions on exhibitors is currently being mulled by the Supreme Court in the appeal from the anti-trust conviction in Dallas last summer.

Significant monopoly case was taken under advisement by the nine final authorities late Tuesday (5) after arguments by George S. Wright and Thomas D. Thatcher, appearing for eight majors and two Texas circuits, and Robert H. Jackson, U. S. Solicitor General. Chief question involved is whether, even if the di-tribs did act in concert, the copyright laws relieve film owners from prosecution under the anti-tr statutes.

Government is secki practice by which all exhibs in competitive territory were required to charge at least 25c admission and were prohibited from using product of the involved distribs on double bills in order to get subsequent-run privileges. Interstate Circuit and Texas Consolidated Theatres, along with their chief officers, Karl J. Hoblitzelle and Robert J. O'Donnell, are accused of inspiring the restrictions, which the government maintains affected only their rivals.

Insisting that the copyright laws do not nullify the anti-trust acts, Jackson, in one of his first arguments since being upped to chief federal pleader, insi ted the practices have the result of restraining trade and reducing competition. Harm both competing subsequent-run houses and th ublic.

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# Lack of Gov't Coin Looks to Set Back Any Anti-Trust Action Vs. Film Industry for Indef Period

ington, April 12.

Shortage of cash may save the film industry from anti-trust prosecution for an indefinite period.

With results of a coast-to-coast inquiry into exhibitor complaints stilll under consideration, Justice Department sources indicated l t week that the expense of a far-reaching attack upon alleged conspiracy to restrain competition between independent and affiliated theatres rears up like a mountain in the way of Government lawyers.

No definite decision about seeking relief for indies via court proceedings has been made. Attorney General Homer S. Cummings described bulky film report as 'still in midair—like Mahomet's coffin.' Would not hint when some concl ion will be reached.

The findings of gumshoe men, who have looked into booking practices in practically every large urban area, are on the desk of Prof. Thurman Arnold, just named to head the anti-trust division. New assistant attorney general in charge of monopoly cases is still familiarizing himself with pending matters and probably will not be able to present a recommendation on the picture situation to Cummings for another month or more.

**ass of Exhib Yowls**

The D. J. up to the moment doesn't know whether there is sufficient evidence to get and back up indictments against the majors, and consequently hasn't decided whether to go into court or to lay the mass of exhibitor yowls on the shelf. If Arnold and Cummings conclude some prosecution is justified, then they'll be up against the problem of raising sufficient funds to carry through protracted litigation.

Cash headache results from the nature of the exhib kicks. Basic structure of the industry is involved, with likelihood that to make a successful attack on booking practices the D. J. would have to launch one of the most far-reaching actions in anti-trust history. That would be extremely expensive, since the Government attorneys concede the industry would fight to the last ditch before surrendering to any ruling which would have the effect of outlawing block-booking or of preventing favored treatment for affiliated chains.

Despite Administration agitation for a broad attack on monopolies, Cummings is in the predicament of a kid with a nickel to spend. Must think hard to see what ill bring the greatest return and in which cases he has the brightest hopes of success.

**er inesses**

The attorney-general's trouble comes from Congressional and Budget Bureau stinginess. With about a dozen potential cases of major importance in preparation, the 1939 appropriation for anti-trust work will be sufficient to permit action in only two or three. Cummings must decide which are most important to the public in terms of dollars and cents and social benefits. Must pick between films, oil, aluminum, cement, telegraph companies, and several others, any one of which would cost several hundred thousand dollars. Estimated a frontal attack on pictures would require from $250,000 to 00,000. Departmental exchequer j t wouldn't stand such an outlay.

In the event Prof. Arnold feels the pic situation is pressing enough to lay before the courts, there is one partial solution. Most important isolated complaints might be placed before grand juries in the hope of getting consent decrees or winning verdicts cheaply, which would provide relief to the most harassed indies. Piecemeal attack is not what foes of the majors, and a good many Federal authoriti , want, however.

## Par Carries Gaal

Hollywood, April 12.

Paramount, which failed to take up Franciska Gaal's term option after her appearance in C. B. DeMille's 'The Buccaneer,' is carrying her on a picture-to-picture deal.

Her next assignment is 'Paris Honeymoon' with Bing Crosby, scheduled to go before the cameras ay 16.

## SOME FANCY FEES

**More RKO Reorg Interim Fees to Trustee, Attorneys, et al.**

Hearing on interim allowances sought in connection with RKO reorganization proceedings was set for April 18 by N.Y. Federal Judge William Bondy Friday (8). At that time the following applications will come up for discussion:

Irving Trust Co., as trustee, will ask the court to okay an additional $60,000; William J. Donovan, trustee counsel, $85,000; Richard B. Scandrett, former special master, $30,000; Price, Waterhouse, accountants, $3,083, and Edward L. Ward, counsel to the receiver, $4,665.

The hearing on the proposed plan, postponed several times, is scheduled for April 25.

Irving Trust Co., as trustee of RKO, yesterday (Tuesday) filed a petitio in N. Y. federal court requesting that the claim of the Cleveland Hippodrome Building Corp. against RKO for $450,000 be allowed. The claim was based on a defaulted lease of the Hipp drome property. Special Master Thomas Thatcher allowed $88,666 on the claim. His judgment was turned down by the Circuit Court.

Recently the U. S. Supreme Court denied a writ of certiorari against the circuit court ruling. The petition of Irving Trust was filed in line with the high court decision.

## $525,000 Worth Of Libel Suits by Two Ex-Stars Dismissed

Two former picture stars fared badly last week in libel actions which they brought in N.Y. supreme court against two local publications. Both actions were dismissed. Nita Naldi, former silent picture vamp and legit star, sought $500,000 damages from the N.Y. Daily Mirror, while Imogene Wilson (Mary Nolan) demanded $25,000 from the New York Amsterdam News, Harlem's Negro sheet, for alleged damage to her rep.

Miss Naldi complained of a criticism published in the Mirror in 1934 while she was appearing in the stage play, 'Queer People' at the National theatre, N.Y. Objected lines of story ran, 'Remember Nita Naldi, the bold, bad vamp of silent picture days? Well, during the first act of 'Queer People' what seemed to us like four hips, eight bosoms and three faces, walked across the stage. It was Nita Naldi.' Judge Aaron Levy decided evidence of monetary damage was insufficient and dismissed the action with costs to Miss Naldi.

Miss Wilson objected to a story published in the Amsterdam News in May, 1937, which referred to her as the wife of a Hollywood Negro doctor. Justice Rosenman dismissed her suit also.

## IKE BLUMENTHAL, 59, DIES ABOARD SHIP

Ike lumenthal, 59, veteran film official in continental Europe, died aboard the Saturnia last week, of a heart attack. He was en route to New York to discuss the continental situati with the Paramount home office. He had represented the Paramount productional activities at Joinville and elsewhere in France for the past 18 years, during part of which time he was also in charge of Paramount's theatre activities in France. Funeral services were held upon arrival of the steamer Thursday and rment made in Union Fields, llls, rooklyn.

Blumenthal entered the film business many years ago through association with the late Frank J. Godsol, who reorganized the old Goldwyn company and acquired the Capitol theatre, N. Y., for that concern. Shortly after he was sent to Europe by his brother, Ben, to take charge of the organization of Efa Films, a marketing agency for American films in Central Europe.

In 1920 his interest in Efa was sold to the Paramount organization and he was retained by the late Emil E. Shauer, at that time in charge of Paramount's foreign interests. Under Shauer, Blumenthal organized the Parufamet Films, a distributing organization for Paramount, Ufa and Metro pictures in the same territory covered by Efa. He continued as Paramount's representative in that company until its dissolution. For the past 10 years he has headquartered at Joinville, the French studio of Paramount.

Recently he was called home to discuss the present delicate French film situation and the European market at large. He is survived by two brothers, Ben and William, a son, Richard, in the Paramount Hollywood studios, and a daughter, Mimi.

No change at Joinville studio is contemplated by Par until Fred Lang, in charge of all activities in Europe for Par, and John W. Hicks, Jr., foreign sales manager, arrive in New York about May 23. Joinville plant is leased to Pathe-Natan and Blumenthal was there to supervise and watch Paramount interests in films made for it.

Hicks, now en route to Europe from Rio de Janeiro, probably will go directly to Paris, reaching there about April 21.

## Fonda in 'Spawn' In Place of Geo. Rigaud

Hollywood, April 12.

Paramount has halted production of its heavy-budgeted Technicolor picture, 'Spawn of North,' and replaced Georges Rigaud with Henry Fonda in the lead male role. Scenes by Rigaud, in 19 days' shooting, will be remade.

Studio execs figured the accent and mannerisms of the French import were incongruous with the setting of the salmon fishing industry.

Under contract to Par, Rigaud goes into 'Air Raid' as his American initialer.

# U Pays Off Bank of America on Its $1,500,000; Fresh Bankrolls Set

Universal Pictures has settled accounts with the Bank of America, chief creditor of the company, and paid off all outstanding loans aggregating around $1,500,000, which the picture company owed to the bank. This is the balance of the $1,954,000 owed by Universal to the Bank of America as of Oct. 31, 1937. Understanding is that the payoff was made through fresh financing obtained recently by Universal from eastern banker sources.

By that deal, iversal is in the clear, and appropriatel financed for the future.

London, April 12.

Understood here that when Joseph Seidelman, vice-president of Universal, boards the Aquitania tomorrow (Wednesday) for the States, he will be carrying with him the concluded terms of a deal under which $1,000,000 or more, in new financing, is to be made available to Universal, upon favorable conditions. Details aren't known.

Whether C. . oolf interests have anything to do with this proposed new financing deal isn't disclosed. Belief is that is an independent arrangement by bankers.

Universal's home office had no knowledge of the London deal when inquiry was made there yesterday (Tuesday). Seidelman's sailing date was confirmed, but no comment was forthcoming on the London financing angle, entioned above.

# Bull Market Might Hasten RKO Reorg; Modifications of Plan Seen Necessary; $2,000,000 Earned in '37

A bullish turn in conditions woul hasten RKO's reorgani tion chances. It begins to look as if extraordinary modifications in RKO's reorganization plan may be necessary. Duri the past week there has en a quietus and parties in the situation are waiting for the company's 1937 audit. This audit, perhaps, may show RKO having earned under $2,000,000.

Expectations are that shall have been completed and ready for filing, in court, by the close of this week.

At this moment it does not s certain that the modifications would include provision for RKO's purchase of the M. J. Meehan preferre share equity in Keith-Al e-Orpheum.

Conditions are such that assurance cannot be had that a flotation to take up these shares can be successful. And the same might be held to reply to the underwriting problem of the plan.

Whether Atlas Corp. was willing to put up $2,000,000, or more, to take care of the underwriting, is in the doubtful stage right now. Perhaps a method for handling the underwriting problem may be devised whereby Atlas' responsibilities in this respect would not be one-sided.

It is presumed that with the audi becoming available this week the parties i interest will be able to get down to deciding upon the modifications forthwith, so that the fullest progress towards completion of the plan might be reported on April 25, when next the matter comes before Federal Judge William O. Bundy.

Leo Spitz, president of the company, is still on the Pacific slope, and is expected to return to New York next Monday (18).

**Spitz Leaves April 15**

Hollywood, April 12.

After passing a month at the studio directing the new setup, Leo Spitz, RKO prexy, leaves for New York April 15. Pandro Berman heads production and J. R. McDonough supervises biz operation under the new arrangement put into effect by Spitz.

He wants to be in New York prior to the r rganization plan before Judge William Bondy April 28 on a hearing to relieve RKO of 77B.

## SORRY, PLEASE

**Uncle Sam Makes a Mistake, Fairbanks Out $72,186**

Hollywood, April 12.

Douglas Fairbanks, Sr., who in 1932 banked one of Uncle Sam's checks for $72,186, sent him as an income tax refund, has been ordered by the U. C. Circuit Court of Appeals to hand it back to the treasury, along with interest at the rate of 6%.

Decision was handed down in San Francisco on Fairbanks' appeal from a decision of the district court here. Federal authorities instituted the action against him on the ground that he had been erroneously reimbursed for an over-payment.

## Harris-Kaufman-Hart Hope to Delay Release Of 'Can't Take It' Film

Sam H. Harris, back from Florida, and George S. Kaufman and Moss Hart, producer and authors of 'You Can't Take It With You,' are considering the possibilities of setting back the Aug. 1 release date of the film version of their comedy. Word from Columbia studio indicates an intention of adhering to the release date, however.

Expectation is that 'Can't,' now in its 70th week at the Booth, N. Y., could stay another season on Broadway and that one company could flourish on the road, although there are three touring units current.

Rights to 'Can't' were sold early in the New York, run, for a price of $200,000. Date of release was set for May 1, 1936, and at the time it was figured the interval would be ample for the stage life of the comedy.

## BALABAN, GRIFFIS DUE WEST SHORTLY

Barney Balaban, president of Paramount, probably will go to the Coast before the end of the month, to confer on studio matters and production with Adolph Zukor. Tentatively, Stanton Griffis also is scheduled to go, probably accompanying Balaban.

Balaban is much concerned in keeping operating costs down and has been pushing economies right along.

The company is in okay financial shape having an exceptionally favorably cash position.

**Agnew East**

Hollywood, April 12.

Neil Agnew, Paramount sales chief, aired east today after two weeks at the studio looking over rushes and complete pictures. He'll be a couple of days in New York, conferring with home office execs, before going to Washington to preside at the sales meeting opening April 15.

## Wm. Harris, Jr., Huddles Republic for Pictures

Hollywood, April 12.

William Harris, Jr., is conferring with M. J. Siegel at Republic.

If a deal jells, the Broadway legit producer will make pictures on the lot.

## Music Hall's Lineup

With 'Marco Polo,' now in its first week at the Music Hall, N. Y., and going two and possibly three weeks, the theatre is set into the summer on product, having three other pictures li up at the moment.

'There's Always a Woman' (Col) follows 'Polo,' with 'Joy of Living' (RKO) to come in after that, in turn to be followed by Warners' 'Robin Hood.'

## FOUR METRO TOPPERS IN STUDIO'S 'IVANHOE'

Hollywood, April 12.

Metro has slated Walter Scott's 'Ivanhoe' for the new season, with Bernard Hyman assigned as producer. Cast will include Clark Gable, Robert Taylor, yrna Loy and Lui Rainer.

runo Frank is writing the scri

## Retrenchment Kayoes Par's N. Y. Talent Dept.

Paramount's talent department at the home office may be virtually eliminated in line with present economy moves in the organization. Such a step would follow the action of Warner Bros., Universal and other companies in transferring talent and testing to the West Coast.

Par has already stopped the activities of its so-called talent school through which hopefuls were tutored.

## WB's Kid Sleuth

Hollywood, April 12.

Bonita Granville has been set by Warners to play the moppet detective in a series of 16 features to be based on Carolyn Keene's 'Nancy novels.

Bryan Foy will produce, with 'The Hidd Stairca ' set as the initialer.

# WHY COSTS MUST BE PRUNED

## H'wood-Aussie Cooperation Plea; See $7,500,000 Pic Rentals in '37

Sam Snider, of Australia's Snider-Dean theatre circuit, last week expressed the hope that U.S. companies might assume a more conciliatory attitude toward both exhibitors and the entire picture business in Australia. Snider, who is sort of unofficial emissary for the Cinematograph Exhibitors Assn. of Australia on his present visit to America, indicated that such attitude might go far in establishing better relations.

Snider estimated that U.S. companies would take approximately $7,500,000 in film retails from Australia this year, or an increase of $1,750,000 over 1937. Prosperity being enjoyed by Aussie exhibitors, plus higher percentages on pictures, would bring this about, he said.

Picture production in Australia will suffer a setback because of the dominion ban clause left in the Great Britain quota set, according to Snider. He also thinks that the New South Wales quota law will be stalemated as a result of the decision by American companies to test its constitutionality.

resentatives of picture companies in New York were inclined to regard the New South Wales quota law as more or less an added tax for istributing U.S. pictures in that country. American companies already have to pay 14½c. per foot for positive prints while British companies pay nothing. Quota statute in North South Wales hence was viewed simply as an added burden; general belief being that features turned out in that country would have to be shelved.

Sydney, April 12.

If the present test of the New South Wales quota law is carried into the courts here, as now seems certain, the quota issue is apt to be kicked around from the state control to the national Australian governing body and back again. This undoubtedly will cause a delay and permit U.S. distributors to carry on without living up to the quota.

Such will mean a saving right now, which is to be desired by American companies. However, some officials say it will be dubious economy in the long run because the powers that be are so minded now that a stiffer quota regulation is in rospect if the current 3% one is ignored.

## ASTAIRE PIC WITH 7 BERLIN TUNES ALL SET

Hollywood, April 12.

RKO is readying to send two important contributions to its 1938-39 program before the cameras before the end of this month. They are 'Carefree,' a filmusical reuniting Fred Astaire and Ginger Rogers as a stellar team, and 'Mother Carey's Chickens,' which will have Joan Bennett and Anne Shirley in the featured roles.

Irving Berlin has completed seven tunes for the Astaire-Rogers production, which is being scripted by Dudley Nichols and Hagar Wilde. Mark Sandrich will direct.

## Gloria Back in News

Hollywood, April 12.

Alice Atschuler and Miriam Geiger have turned in the screen play for Republic's 'Lady In the News,' which will have Gloria Swanson in the name role.

Yarn was originally intended for Frieda Inescort.

## 'Goodbye' His Return

Hollywood, April 12.

ncy Lanfield is directing 'Always Goodbye' for 20th-Fox, his first assignment following a long illness.

Picture has Barbara Stanwyck in the featured role.

## It Ain't Cheese

Hollywood, April 12.

Biggest wage earner among film extras for the last 12 months is Mr. Josephine Beach. Appearing in 100 pictures during that period he earned $4,000.

Mr. Beach is a rat owned and trained by Curley Twiford, who also supplies other small animals to the studios.

## COLLINGS' ACAD OSCAR IN ODD RECOVERY

Hollywood, April 12.

The Academy statuette won in 1936 by Pierre Collings for his original story, 'Louis Pasteur,' was turned up Sunday (10) by an unemployed youth who found it in a cheap hotel. It was found among belongings withheld by the hotel from those who couldn't pay for lodging.

Chap tried to peddle it to Arthur Caesar, also a onetime Acad winner, who took him to the Academy offices where he was paid $25.

Collings died several months ago.

## ROGERS MEMORIAL TO COST $182,790

Oklahoma City, April 12.

The W. R. Grimshaw Construction Co. was low bidder at $182,790 on the native, stone ranchhouse type Will Rogers Memorial to be constructed at Claremore, Okla., on which work is expected to get under way within two weeks. Ten firms had sought the contract. Gen. Roy Hoffman, chairman of the Will Rogers Memorial Commission, also announces that State Tax Commissioner C. C. Brown has ruled that the state's 2% sales tax will be waived on material used in the construction.

First pictures of the plaster model from which a bronze statue of Will Rogers will be molded have been released by Jo Davidson, the soulptor. The statue will be placed in the Hall of Fame in Washington, D. C., with another and smaller one copied from the same mold scheduled to be placed in the Claremore Memorial.

## Marxes' 'Day at Circus' For M-G After RKO 'Room'

Hollywood, April 12.

Metro has slated 'A Day At the Circus' as the initial picture for the Marx Bros. under latter's newly signed contract. Mervyn LeRoy will produce.

Comedy will get under way as soon as the trio completes its RKO 'Room ervice' assignment.

## That a Racket, Too?

Hollywood, April 12.

Edmund Hartmann is scripting 'The Beauty Racket,' which B. P. Fineman will produce for RKO.

Picture is the second of the racketeering type handed Fineman. Other, now in preparati is 'The Racket Buster.'

## Holmes Directs Own

Hollywood, April 12.

Ben Holmes sold his original story, 'A Fool for Luck,' to RKO and has also been signed to direct it. William Sistrom will roduce.

## B.O. FACTORS FOR NEXT 12 MONTHS

**Shri Foreign Income a Prime Element—Mounting Labor Costs Abroad—Native B.O. Also Down**

### OVERBOARD SALARIES

Current economy waves in the industry are being made to gear production in line with deflated income expected in the next 12 months from the foreign market. Actual distribution income is about the same as last year in the foreign territory but quotas and higher taxes are causing a shrinkage in net profits from outside the U. Hence, the urge to tri

Five factors have developed the present necessity for pruning, in the opinion of industry officials. They are (1), reduction in net foreign take by 14-25%; (2), di in the domestic box office, variously estimated at 5-14%; (3), higher taxes; (4), mounting labor and material costs, and (5), out-of-line salaries for top stars.

One check made in the last 10 days on several of larger circuits indicated that business was running close to figures of a year ago. However, slump in employment and curtailment of business has brought spotty box office with others.

Expected increase in business of 5-10% in many theatres, which did not materialize this year, also has hurt since considerable production was more or less adjusted to this expectation. Along with the lull in business, producers also were confronted with not being able to cash in on any increased admission prices. These had been contemplated but proved unfeasible in the face of business conditions.

Along with this dip and foreign difficulties, film companies are faced with higher Federal, state and sometimes city taxes. Industry gave healthy boosts in wages to labor about three years ago. While no great increases have come in the last year, the old high level has been maintained. Which is another fly in the plans to retrench.

While the quota in England is the only severe one that hits all principal companies, this country presently is counted on for such a healthy rental return that it is bound to cut into foreign income. Mexico, Italy, South America and France are specifically mentioned as nations having high taxes. This makes it more expensive to distribute. Also there has been a boost in wages and other distribution costs in some foreign nations. As, for instance, Mexico where wages are nearly double what they were a year ago. Result is that the cost of distributing outside the U. S. has been upped.

## Many Legal Oddities in ERPI Suit; Non-Stockholder Judge Presides; Music Lawyer on Film Defense

After considerable technical preparation, the $149,948 claim by John G. Paine, as agent and trustee for some 50-odd music publishers, against Electrical Research Products, Inc. is slated to come to trial the end of this month. Judge John C. Knox will preside in N. Y. Federal court, he being the only qualified jurist to sit on the bench in that almost every other Federal judge for the Southern District of New York is a stockholder in American Telephone & Telegraph, or one of its subsids. Erpi, of course, is an AT&T affiliate.

In anticipation of the trial, which will be a significant one in show biz legal annals, Metro, 20th Century-Fox, Univer l and Columbia have retained Julian T. Abeles to be their copyright expert and trial counsel in charge of the defense. Herman Finkelstein of Schwartz & Frohlich (representing Columbia particularly) will be co-counsel. Actually, Abeles becomes Erpi's defense counsel, Electrical Research Products, Inc., in turn, having acted for the film interests when making the music licensing deal with Paine.

First legal maneuver this week has been a demand on Gilbert & Gilbert, attorneys for the music publishing interests, for a bill of particulars and details of all rights embracing all foreign countries, outside of the U. S. and Canada. This action stems from a licensing agreement with Erpi for the use of the music on a sliding scale, which allegedly has amounted to $1,300,000

**Paid $1,150,051**

Paine (for the music men) admits receipt of $1,150,051 from Erpi, and is suing for an alleged $149,948 still due.

Paine succeeded E. C. Mills as agent and strustee for the Music Publishers Protective Association. Paine has since gone over to the American Society of Composers, Authors and Publishers.

Warner Bros., Paramount and RKO were also vi lly interested with Erpi, but their concern right now is passive because of the fact that WB and American Tel & Tel some ti ago made a settlement of their ow differences. Par and RKO were in 77B, the former having since emerged from it, but that's regarded as absolving them also from any vivid interest in this particular suit.

Paradox of Abeles' position, as special counsel for Erpi and the film interests, is that he will be opposing some of the music interests for whom he's done considerable work, being music copyright consultant to 20th-Fox and Metro particularly. However, it so happens that 20th and Metro's music pub affiliates haven't much at stake in this particular suit; more than 50% of the monies recoverable would go to the Gustav Schirmer and Carl Fischer music interests.

Erpi document with Paine of MPPA breaks down the fees for each usage of music per film, ranging up to $75 per full usage; $42.50 for a half usage; a lesser fee if only in certain minor parts of the globe.

T. Brooke Price and Homer Breland are Erpi's regular counsel.

## Fame

Copenhagen, April 4.

Several provincial theatres are showing 'Big Broadcast of 1938' (Par), in which Leopold Stokowski appears.

Ballying the film with 'See the man Garbo loves.'

## KOERNER'S HUB BUILDUP FOR MAE WEST

Boston, April 12.

ith Boston having a periodic agi tion against films and magazines, Mae West's p.a. booking at Keith's, Boston, April 28, has prompted the RKO office here to arrange a 'good-will' trip to New York on the weekend of April 22. Charlie Koerner, RKO division chief in New England, ill accompany about 20 Hub fil and drama reviewers to New York where they will be guests of Miss West, in conjunction with her appearance at Loew's State.

This will give the Bostonians an opportunity to gather and record in their respective sheets favorable—it is hoped—impressions of the star before she opens here.

## H'WOOD FILM DOUBLES SET FOR ENGLISH REVUE

Hollywood,

Kurt Robitscheck, European producer, has signed several doubles of Hollywood's top film personalities for a revue, 'Hollywood on Parade,' set to open July 18 at the London Palladium, after which the troupe will tour the British Isles.

Robitscheck will remain here another week to line up film talent for two legit productions he has scheduled for Manhattan next fall. They are 'Simoon Over Algiers' and 'The 'Train For Venice.'

## Byram's Script Voyage

John Byram, accompanied by Mrs. Byram, sails for Europe the first week in May to look over material counters on the other side, in annual quest in behalf of Paramount.

On the same boat, the Howard S. Cullmans are scheduling a takeoff.

## U. S. Sending Tax Experts to H'wood To Adjust Several Arrears Tiffs

Washington, April 12.

Arguments between the Treasury and Hollywood folk over income tax liability are growing to such volume that the U. S. Board of Tax Appeals last week decided to send a member to Los Angeles for ventilation of 15 tiffs now on the docket.

Whether the government is right in billing actors and exces for over $250,000 will be determined by William W. Arnold at hearings to open June 13. Film personalities contest the Treasury's claims that their personal returns were deficient and that certain exempti ns ought to be included in the amount on which tax is id. ld questions, such as deductions for wardrobe, entertainment, travel, etc., will come up.

Biggest claim for weighing before Judge Arnold is assessment of $104,430 against Charles Laughton for 1934 earnings. arlene Dietrich's lawyers will appear to fight a levy of $52,562.

Other film figures and the amounts at stake in the controversies are:

Adolphe Menjou, $30,080; Madge Evans, $2,337; Bert Wheeler, $12,544; Bernice Wheeler, $01; illiam Lee Tracy, $1,201; Veree Teasdale (Adolphe Menjou's frau), $938; Myron Selz ick, $9,071; Marjorie Daw Selznick, $222; David O. Selznick, $9,896; Irene Mayer Selz ick, $3,222; Walter Kelly, $501; and administrators of John Gilbert's estate, $23,545.

## Andersen Film Biog; Disney Fable Cartoons

Copenhagen, April 4.

Denmark's famous story teller, Hans Christian Andersen, is breaking into films in a big way just a half century after his death. Report here has it that lt Disney's success with 'Snow White and the Seven Dwafs' has inspired him to adapt one of Andersen's tales, 'Klods-Hans' ('Clumsy Jack').

Also, Leslie Howard is reported to have bought a script on the life of the fabler and will portra him in a film to be produced in London. Scandinavian version of the pic i also mentioned.

# Lefty's Hollywood Pals' Reasons As to What Killed Off Vaudeville

By Joe Laurie, Jr.

Dear Joe:

Aggie, Junior and me are sure having a great visit here in Hollywood. It's a great spot if you're not looking for anythi . Everybody's nice to you, especially as soon as they find out you're not a 'prospector'—you know, digging for gold in those studios. Or want to make a soft touch. When I tell the boys and girls that me and Aggie own a picture house in Coolacres they immediately figure a place like the Radio City and ask me for a job as manager or even assistant manager. Then I have to tell 'em our joint isn't big enough even for one manager, and is too ig for the audience, whereupon their chins drop.

Out here the actors can only figure things big, everything is super-super, but the way they're laying guys off here a lot of 'em right now would settle for just supper. Actors are sure funny people. The folks me and Aggie visit with and whom we love best are our old pals from the old vaudeville days. Plenty of 'em out here and some of 'em doing okay; and, of course, plenty of 'em not doing so hot, but they ain't lost their sense of humor. We get a lot of laughs sittin' around and operatin' on the pictures and showing the spots where it needs medicine. Of course if you got a gang around, the conversation has got to come around to the point where somebody makes the crack, 'What do you think killed vaudeville?' Well, everybody has his own ideas and pet peeves about that subject. I thought I'd write down a few for you what their ideas are out here of what killed vaudeville, viz:

Imitations of rge Beban yellin' 'Hello Rosie'...The way some of the blackface comics killed Bert Williams' poker game...Contortionists...The dames with tights on and a cape, and having stereopticon slides of butterflies thrown on 'em...Society dancers...Impersonators of Generals Grant, Washington and Lee... istling acts and l tions of sawing wood and hittin' the knot in the wood...Imitations of Pat Rooney...Paper-tearers...Flash acts...Acrobats passing the handkerchief and trying to do talk...Dancing violinists...master of ceremonies...Pony acts that picked out the different flags and ponies that told you how many days in the week they'd like to work...Mother and daughter acts that billed themselves sisters...Picture people making a personal appearance...Kid acts...Piano acts...Musical acts that played glasses, bottles, and flowers that lit up....Opera troupes that sang 'Chire-biri-bin'...Imi tions of George M. Cohan...Sketches with whiskey bottle, revolver and telephone as props...Imitations of Dave Warfield.

These are just a few they pulled, but I think Aggie pulled the right answer when she sed, 'They built the theatres too big.' And Paul Gerard Smith sed, 'They had to build 'em big for the double features.' We all ended up talking about television. That's why I like those vaudeville guys—they're always looking ahead.

**A Slogan for Grauman**

I got a good buy in town here on dishes, for my dish nights. In fact I got 'em so cheap I can give the customers a dish going in and one coming out. I also got a bunch of egg cups; they can just drop the eggs the pictures lay in 'em. I've been looking around this town at the first runs; they're plenty bad, so you can imagine what they'll be by the time they reach my place. Sid Grauman has a good idea with those footprints in his lobby. I noticed they all pointed going in. I told him a good slogan would be, 'Follow the Stars' Footsteps and Go Inside to See Our Show.' He didn't exactly say it was bad, but he just said it was too long. Aggie sed she'd bet he uses my ideas as soon as we leave town.

I took Junior up to the William Morris office to kinda show him off. I told them that I didn't want hi to go in pictures, but if they hear of a spot for him maybe I'd let him go, not so much for the dough but for the experience it would give the kid. Abe Lastfogel wanted to put the kid in the office to start right from the bottom to learn the business. Johnny Hyde took the kid on his lap and the kid is nearly as big as Johnny. Johnny didn't hold Junior on his lap very long because I think the kid kinda knew he was an agent and acted accordingly.

Vic writes me that things are going pretty good at the theatr He started a Popularity Contest for the most popular girl in Coolacres and he sez it already has boosted business by nearly $4.

Give our regards to the boys and girls and tell 'em not to wait for vaudeville to come back into the Winter Garden. You know that used to be a stable, and I'll bet you can't even drag horses in there to see vaudeville. Sez

Your pal,
*Lefty.*

P. S.—Harry very dog has his day and the cats seem to be quarrelling over .

# 'IMPORTED' THEATRE PICKETS IRE MAYOR

Logan, Utah, April 12.

Merchants and townspeople of Logan, Utah's fourth largest city, on Friday (8) took a unique stand in protest to 'foreign' pickets in the labor difficulties at the Capitol and Lyric theatres here. Led by Mayor A. G. Lundstrom, more than 125 business men and civic leaders purchased ducats to the Capitol, picketed by u ion motion picture operators who went on strike three weeks ago in a demand for a 'closed shop.'

Then the burg's chamber of commerce members, about 125 of 'em, agreed to send at least one employe out of the various firms to the Lyric each night until an amicable agreement is reached.

Action of biz leaders resulted after seven union pickets from an Ogden (Utah) union patrolled in front of the Capitol. Loga ites resented 'foreign' (out-of-town) picketing activities, citing that the local men, ex-employees of the theatres affected, should draw the picketing chores.

## M-G Readies 'Balalaika'

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name cast.

# BUELL BLOWS LAUREL, BACK TO PROD. ON OWN

Hollywood, April 12.

Jed Buell, who has been producing the Fred Scott westerns for Stan Laurel Productions, has been released from his contract and will return to producing for his own company. Laurel will produce the balance of the Scott pictures, ith L. A. French as his assistant.

Buell's next will be 'Tiny Town,' with Bert Sternback also withdrawing from the Laurel organi tion to join him as associate producer. Sam Newfield will direct.

Jed Buell has signed Singer Midgets for 'Terror of Tiny Town.' Entire fil is dominated by dwarf-size. Mi now touring Hawaii.

## 'Air Raid' Readying

Hollywood, April 12.

aul Schulz and Kurt Siodmak are writing the screen play for Paramount's ' ir aid,' which will team Georges igaud and Olympe radna.

Picture is set for a June 14 start, with Jeff azarus producer and Robert Florey directing.

## LINKED IN ROMANCE

Hollywood, April 12.

Jean arker and Eric Linden have been pacted by Monogram as leads for 'Romance of the Limberlost.'

Picture has been given April 20 starting date.

# Rep Drops Musikers

Hollywood, April 12.

Peter Tinturin and Jack Lawrence, Republic songwriti team, will check off the lot upon expiration of their contract in April, and thereafter the studio will buy its musical numbers.

Al Colombo usic chief.

# Frisco's Threatened Press Strike Worried Film Cos. for a While

Distribution departments of home offices breathed easier Monday (11), after being informed that the scheduled newspaper strike in San Francisco over difficulties with the Newspaper Guild, threatened for Sunday night (10), had been postponed a week with inside advices being that a settlement would o reached.

Companies having product in S. F. or due in there during the coming week were so alarmed over the outlook that arrangements had en made for billboards, other forms of posting, window ings, etc., as protection.

# GN TRIMS SAIL FOR 6-WEEK PROD. SPEEDUP

Hollywood, April 12.

ith operating expense pruned to between $12,000 and $14,000 weekly, Grand National is readying to start a steady flow of films its 29 distributors during the next 12 months. Six scripts are being prepared, ith schedules already arranged to get them into production within that many weeks. Outside product is being lined up to fill the voids.

Deals have been set for eight features on distribution arrangements, the first to go out being 'He Loved An Actress,' English-made musical with Wallace Ford, Lupe Velez and Ben Lyon. 'Zamboanga,' a South Sea feature made with a native cast, will be released April 15, ith 'International Crime,' formerly titled 'The Shadow Murder Case,' following April 22. Rod LaRocque and Astrid Allwyn are featured in the last named.

Among the productions being readied at GN studio for early camera starts are 'Renfew Rides North,' ith Jimmy Newill in the title role. It will be the first of a series of three to be produced by Phil Goldstone also directed by Al Herman. Max Alexander is making two Ken Maynard westerns, 'Whirlwind Cowboy' and 'Trails West.'

# Whiting Ahoys for Par

Hollywood, April 12.

Jack Whiting is here for a featured spot in Paramount's 'Give e a Sailor,' cast for which includes Martha Raye, Rob Hope, Betty Grable and J. C. Nugent. Jeff Lazarus will produce, with Paul Jones as his assistant, Elliott Nugent directing.

Pictur uled for an April 18 start.

## Barbier Called Home

Hollywood, April 12.

George Bar ier has been called back to 20th-Fox, his home lot, for a featured role with Sonja Henie in 'They Met in College,' ich Richard Green, English import, plays opposite the skating star.

Bar ier, although under contract to the estwood outfit, has been on loa to other studios for several months.

Roy Del Ruth is directing.

## 'Suspicion' Toppers Set

Hollywood, April 12.

arren illiam and Gail Patrick have been set for the featured roles in Universal's 'Suspicion,' authored by Myles Connolly. Edmund Grainger will produce, James Whale directing.

William contract to etro.

## PAR'S SCRIB LOANOUTS

Hollywood, April 12.

Charles rackett and Billy Wilder have been orrowed by Universal from Paramount to screenplay 'That Certain Age,' eanna Durbin starrer.

leen Wetstein wrote the original.

# The Girls' Eye View

By Marian Squire

**Earth—Yea, Verily**

To the pink lemonade and popcorn generation, the circus is the circus, and further glamming is merely gilding the lily. However, designer Charles LeMaire has done an orb-widening job of the opening pageant, 'Nepal'—which is 1938 for the parade, or Grand March.

The Ringling Bros.-Barnum & Bailey presentation is probably somewhat condensed by now, but no one seemed to mind the opening night ( ) running time of almost four-and-a-half hours.

Mr. LeMaire is true to circus tradition in the matter of shine and glitter, but he crowds more rhinestones into less space on short costumes, an lavishes more yardage on picture gowns.

Ladies proudly perched on elephants wear flowing gowns and gleaming satin trains completely vering the pachys' chassis—which is a lot of gleaming satin. Troupes of dancing girls swirl in circular black splashed with gold, followed by more troupes i white trimmed in silver.

Zulus with tall evergreen headdresses and unidentifiable Orientals with towering spiral turbans , a girl nonchalantly mounted on a lion wears gold sequin leotard and gold cloth cape lined in scarlet. There are enormously full Turkish trousers with draped bandeaux, and brief glittering costumes of strap top and tiny trunks.

Frank Buck, majestically seated in a howdah, wears traditional white hunt costume, his elephant mount followed by beaters, stalkers, gun bearers, and native girls bearing trays of fruits and flowers.

Garguantua, 'the world's most vicious beast,' lives up to is billing by glaring maliciously from his glass enclosed cage, and rising to his full gorilla height to give you an idea of the damage he could do if the bars failed to hold.

'Nepal's' grand finale is the spectacular formation ri ing of the 'Bengal Lancers.' Supply your own adjectives, beginning with something modest like gigantic, and working up from there. For this magnificance, Ladeez and Gen-tlemen, is merely the appetizer for the Greatest Show on Earth.

**'Women Are Like That'—Pat O'Brien's Rap**

'Women Are Like That' gets a better break in having Pat O'Brien than Mr. O'Brien gets by being involved in the piece. That seems to be the penalty excellent performers pay in Hollywood for being good. They are used as hypos for rambling films which can't stand on their own waveri feet. For most of the comedy and inter in this fil is directly responsi

Kay Francis, as his girlishly impetu , performs one of those cinema miracles by setting the business world on fire without any apparent assets except a lot of Orry-Kelly gowns. Most of her frocks are cowl-neck and draped about the hips, which doesn't disguise the fact that iss Francis has taken a little vacation from calory counting. A white Grecian robe ith cord wound around the waist and draper wrapped below makes this fact obvious.

A black dinner dress is fitted to below the hips and then swirling out in horizontal Roman stripes. Several of her hats are visor-type, worn low on the forehead. Most becoming outfit is a plain black dress worn with veiled sombrero and huge silver fox scarf. A suit has plaid jacket and half-and-half skirt, the front plaid and the black plain.

Thurston Hall, as Miss Francis' father, is required to laugh constantly to project the idea that he doesn't give a darn about anything. This another inconsistency since O'Brien has to go through a lot to keep Miss Francis from finding out about something her father has done, when it is pretty well established that she wouldn't be particularly shocked if she know. Ralph Forbes is a good stuffed shirt, and Grant itchell and Hugh O'Connell take good care of what they have to do.

**Cooper, Miss Gurie and 'Marco Polo'**

'The Adventures of Marco Polo' is a Roman holiday for extras with men and horses swarming all over castles, moats and some magnificent nery. As the adventurous Italian, Gary Cooper is ruggedly and uncompromisingly American, and seems to feel amused at finding himself in such strange surroundings among all those foreigners. He's much more 'The Plainsman' than the wandering Venetian.

Sigrid Gurie, Samuel Goldwyn's Brooklyn-to-Sweden-to-Hollywood find, wears a series of elaborate satin kimonas as a Chinese princess and the light of Cooper's life. Leading lady in her initial film appearance, Miss Gurie isn't required to do a great deal except keep her eyebrows raised and look exotic, which she accomplishes with admirable consistency.

Satin robes and wrapped turbans can't down Basil Rathbone, who menaces from doorways and behind pillars until finally thrown to some disagreeable looking animals.

'Oriental' Binnie Barnes, looking just like Binnie Barnes in kimona and wi , is handed an obvious comedy routine with an amorous pursuit of the reluctant Cooper.

'Marco Polo' is colossal, not to say stupendous — but with the icing brushed off it's the old here-come-the-boys-now and virtue-triumphant cinema standby, ith a snap of the fingers for the significant historical details of the ori inal 'Adventures.'

**Rooney, Brightest of 'Judge Hardy's Children'**

The addition of Mickey Rooney to the family of 'Judge Hardy's Children' is indeed a blessed event. When the note of gentle philosophy begins to sound too monotonous, ickey and his adolescent perplexities take charge, giving the leisurely piece a shot in the arm. Young Mr. Rooney is especially helpful to the picture when demonstratin the Big Apple with Jacqueline Laurent.

'Judge' Lewis Stone makes the dispensing of patient wisdom as pai as possible. Fay Holden, as mother of the Hardy brood, seems unnecessarily dumb, particularly having been married to a judge for 20-odd year but that's the fault of the script and not Miss Holden.

Cecelia Parker, daughter of the household, isn't allowed to be very bright either, becoming a willing victim for the machinations of sleekly groomed Ruth Hussey. Designer Jeanne has blonde Miss Parker in youthful little numbers—one nice dress, a dinner frock ith large white lace collar and puffed sleeves. Most ornate and becoming costume is a masque ball affai with tight bodice, enormous hoop skirts and flattering white wig. Miss Parker's own hair could have used a bit of attention—or better lighting. That darkness at the roots is inclined to detract from the ingenue effect.

Miss Laurent does her youthful French vamping in tailored youn dresses, and in a sheer evening gown modestly billowing over a taffeta slip. Ann Rutherford has simple little-girl dresses and the largest black eyes in Hollywood's younger set.

**'Scarlet Pimpernel's' Flat ring Couturier**

French Revolutionary period with the guillotine working overtime, and chopping off heads the favorite outdoor sport, comes to the Rivoli with 'The Return of the Scarlet Pimpernel.' British cast is headed by Barry Barnes doing the ori inal Leslie Howard 'Pimpernel.' Mr. Barnes has a ruddy time of it saving his wife, himself and the French populace from the depredations of that 18th century dictator, Robespierre. And he makes the grade convincingly—except in a few scenes where he is inclined to lis

Costumes are flattering to the face, with deep ruffled square necks, a trying to the figure with high Directoire waistline. Blonde Sophie Stewart, as the Pimpernel's wife, can take it, but the line adds pounds to the already well rounded Margaretta Scott.

With one black evening gow iss Scott wears a flowing dotted veil caught at the top of the head with a white flower—exactly like the ones now adorning heads at the smart supper clubs.

For Miss Stewart, a hooded black cape entirely outlined in white ruching is so becoming, it makes her look cheerful even on the way to the guillotin One large hat with dipping rim and highish narrow crown

(Continued on page 23)

# SMOOTH PIX ROUGH EDGES

## Pete Wood Voices Ohio Indies' Views on the Kent-Myers Letters

*Editor*, VARIETY:

I have just finished reading the article in your issue of April 6, covering the exchange of correspondence between Messrs. Myers and Kent in connection with the Neely Bill. Your division of space is so palpably unfair to Mr. Myers that I do hope your sense of fairness will impel you to correct this in your next issue.

While, like Mr. Myers, I have considerable respect for Mr. Kent's opinions and judgment, I cannot refrain from commenting on that part of Mr. Kent's letter in which he takes Mr. Myers to task for accepting remuneration for services rendered. As I see it, Mr. yers, as General Counsel of National Allied, is no more to be condemned for accepting a retainer from National Allied than Mr. Kent for accepting what he does as President of 20th Century-Fox.

It would seem to me that r. Kent should place Mr. Myers in the same category as Mr. Hays to whose organization Mr. Kent admitted his company paid around $100,000 annually. On this basis, it is safe to assume that Mr. Hays' organization collected around $1,000,000 per annum from all of its members.

At this point, and as a director of National Allied, I can assure you that last year we collected somewhat less than $1,000,000 from our members.

So far as I know, there is nothing in the Federal Constitution to prohibit the independent exhibitors of the country from employing some one to defend their interests and, at the same time, giving the producers and distributors a special Federal grant to do so. If there is such a statute, I will be the first one to suggest that we dispense with Mr. Myers' services.

This business would not require Federal legislation if its leaders—not its representatives—would take the time to sit around the table with a few of the honest, sincere and thinking independent leaders and attempt to work out a solution. But this will never happen because the leaders depend wholly upon the advice of their representatives who are a burden upon the industry to the tune of about $1,000,000 per annum.

P. J. Wood,
*Secretary, The Independent Theatre Owners of Ohi*

## MARCH VERY BAD MONTH FOR PICTURE EXTRAS

Hollywood, April 12.

arch was the poorest work month for extras in the last four years. Central Casting reported total placements for the period at 16,750, as compared with 30,462 for March, 1937.

Officials predicted, however, that figures for 1938 would equal those of the previous stanza, because of the rush of production to come.

## Vidor Going Abroad To Direct Metro's 'Citadel'

Hollywood, April 12.

ing Vidor will leave here late this week for New York, from where he will sail for England to direct Metro's 'The Citadel' at the Denham studi . Picture is slated to roll May . ith Robert Donat and Rosalind ussell featured.

ictor Saville, who will produce, is already on the ground.

### Novarro's Pic Perks

Hollywood, April 12.

ublic has fixed April 15 as the starting date for 'As You Are,' which will have Ramon Novarro in the top bracket. Edmund North and James Gow have completed the final polishing on the script.

John Auer will produce.

### Costly Mention

Hollywood, April 12.

Ray Bolger flagging Al Lewin, at a party, congratulated Lewin on breaking into the society columns.

'About what?,' asked Lewi .

'About building a beach house between Marion Davies place and Louis B. Mayer's. Isn't it true?'

'Unfortunately, yes,' said Lewi , 'and the dearest press notice I ever got billed for.'

## Jackie Coogan Sues Mother, Stepfather For an Accounting

Hollywood, April 12.

it was filed Monday (11) in Los Angeles by attorneys for Jackie Coogan, one-time kid player on screen, charging his mother and stepfather with attempting to deprive him of an estimated $4,000,000 accumulated through his film earnings. Stepfather is Arthur Bernstei , long Coogan's business manager.

Coogan, now 23, alleges the only income allowed him from his estate is $6.25 weekly. He declared he had to subsist on a moderate income obtained as an actor.

After complaint was filed, the court appointed John Biby, attorney, as receiver.

A restraining order was also issued preventing the Bernsteins from transferring or disposing of assets.

Coogan and Betty Grable were recently married.

## PAR WORRIED ABOUT MOTOR CITY'S OFF B.O.

Steps to meet the situation in Detroit, hard-hit theatre key, are under consideration by Paramount which is in partnership there with George Trendle, in charge, locally, of its United Detroit Theatres. The setup numbers 22 houses, downtown and nabes.

While executives of Par are studying the problem confronting the company and Trendle in Detroit, to date no final plan of action has been decided upon although numerous suggestions and thoughts are being turned over.

Leon Netter, home office theatre executive, was in Detroit on the matter during the past week, having returned to New York Friday (8).

## Lesser Dropping Ballew Westerns for Straight A's

Hollywood, April 12.

Unless a new releasing deal pops up, Sol Lesser intends to drop the Smith Ballew westerns from his 1938-39 production schedule. Present plan is to put his organization on a straight A picture basis.

~~Principal had been delivering four~~ Ballew pictures annually to 20th-Fox. Ballew's contract with Lesser expires after one more film.

### BIG APPLE

**William Tell Stunt by Femmes to Bally 'Robin Hood'**

Hollywood, April 12.

Warners will plane the Hollywood army of newspaper and fan mag writers to Palm Springs April 24 to witness the archery tourney being staged there by the studio as an exploitation stunt for 'Robin Hood.'

Contest, for which Basil Rathbone is offering a cup, will be staged under the supervision of Mrs. Gladys Hammer, national champ, and will be confined to femme entries.

## NEELY SETS 'EM ALL THINKING

**Intra-Film Industry Discussion Has Resulted in Decision by Motion Picture Executives to Smooth Distrib-Exhib Relations**

**REGULATION**

Discussion within the film industry of the pros and cons of the Neely bill, pending before the U. S. Senate as a block-booking regulatory measure, has crystallized definite determination on the part of numerous film executives—chain and independent theatre operators, widely scattered—to cope with the persistent rough edges of distributor-exhibitor relations.

Forces are at work to organize at an early date industry round-table meetings to the end that self-regulation of distribution and exhibition problems will forestall Federal and state lawmakers from initiating, legislatively, a program which would place the industry under some form of Governmental restrictions.

Indications of the progress of the movement, which has gathered momentum during the past few weeks, is contained in the annual report by Will H. Hays, president of the Motion Picture Producers and Distributors of America, Inc., which was issued this week in pamphlet form. It states:

'There can be no permanent progress for a creative industry controlled in the interest of economic regimentation or political dictatorship.'

**Uniform Dealing**

That the time has come for definite action, clarification of trade practice principles and a system of uniform dealing between distributors and exhibitors is being widely accepted. Letters which have been sent ~~to~~ industry and public welfare bodies, soliciting opposition to the Neely bill, have prompted almost unanimously suggestion that the film business immediately tackle the distributor-exhibitor problem in all its phases, or proceed on the assumption that some form of legal regulation is inevitable. The issue has spread beyond the limits of the industry; the public which figured dominantly in the enforcement of the self-administered production code, is making its voice heard in exhibition matters.

Of equal importance is the fact that industry leaders are facing an uncertain future in the enlargement, development and refinement of the exhibition branch of the business. Theatre expansion, it is declared, is not keeping pace with the increasing public interest in films, nor with the heavier demands for a broadened domestic market occasioned by foreign film rental shrinkages, due to unsettled economic and political conditions abroad.

Little can be done with the latter proposition, however, at the present time, due to a number of causes, not the least of which is the financial risk of theatre building without prior contractual and trade assurances of product availability.

A third impetus for early study and adjustment of distrib-exhib matters also is contained in the Hays report, which states, 'In every part of the world where the screen has been forced to yield to political censorship, the industry has retrograded, and the motion picture has become the pliant tool of political propagandists.'

**NRA Memories Haunt Yet**

Film executives and distributor leaders who participated the Washington conferences which preceded the adoption of the NRA ino-

(Continued on page 54).

## 150 Rocky Mt. Exhibs Formally Nix Neely Bill; Arkansas Indies Ditto

### Efficiency

Hollywood, April 12.

After soaking up economy and waste talks by the front office for the past several weeks, one assistant director put what he learned into practice and ordered 'quiet' on the set while still photogs were ing.

## Picture's Pub Stunt Brings Girl's $200 Shock Suit in H'ford

Hartford,

As a result of a terror stunt, Barbara Sack, a saleswoman, is suing the Poli-New England Theatres, Inc., and Clarence F. Saunders, its alleged agent, for mental and nervous shock she suffered last Nov. 15. She seeks damages of $200 in city court.

She claims that Saunders, gotten up in a black hood to advertise the picture, 'The Lash,' at the Palace, invaded the store where she works on Main street, snapped a long whip at her heels and then pursued her about the premises. According to testimony before Judge Nicholas F. Rago, she claims she suffered 'mental shock, extreme nervousness and insomnia.'

Saunders testified that he simply walked about the store and noticed no disturbance.

Lou Cohen, manager of the Palace, testified that Saunders was employed at the direction and expense of the concern which booked the picture. A move for a non-suit by defense counsel was denied by the court without argument.

## OHIO SHOWMEN'S FIGHT TO DUCK NEW TAX RAP

Canton, April 12.

With the Independent Theatre Owners of Ohio leading the movement, theatre men throughout the state were preparing this week to fight the newest legislative threat to increase the admission tax.

At a meeting of city officials in Cleveland to discuss the poor relief crisis, which will require action at a special session of the Legislature, Representative Loddy Huml, one of the house leaders in relief legislation, told the group that when a special session is called he will introduce a five-point relief program which will include increasing the admissions tax by 10%.

Following a bitter fight, the independent theatre men were able to force reduction of the tax to the present 3%, although a 12% rate had been in effect for 16 months.

## Erpi Slate Reelected At Routine Meeting

Routine business occupied annual board meeting of Electrical Research Products, Inc., yesterday (Tues.) with old officers being reelected. D. C. Collins, vice-president in charge of corporate relations, presided at session in the absence of Whitford Drake, president, who is in Europe.

Drake, who is expected back in U. S. in about two weeks, has neither affirmed nor denied that Erpi has a deal with Universal whereby its holdings might be partially disposed of to English interests.

### U's 12 Mustangers

Universal has ided to a total of 12 hoss operas. of six will star Bob aker, someone else to be picked for the other six.

Earlier plans had been to make 40 regular features only. Last season U had a series of Buck Jones westerns.

Denver, April 12.

With 150 theatres, includi dependent represented either in person or by heads of groups, theatre owners and managers of the Rocky ountain region voted t imously to demand Congress defeat the Neely-Pettingill ills.

Congressmen from Denver area were quoted as saying the bill would not come before this session of Congress.

**itto in Arkansas**

ittle Rock, Ark., April 12.

Unanimous opposition to the pending Neely bill in Congress was voiced today in the closing session of the two-day convention of the Arkansas Independent otion Picture Theatre Owners at the Hotel Marion here.

Following an address against the bill by President J. F. Norman of England, Ark., the 98 delegates present voted to send a resolution to the Arkansas Congressional delegation urging that they oppose the measure.

Norman was re-elected to his second term as president of the Arkansas exhibitors. G. Carey of Paris, Ark., was re-elected v.p., and R. V. McGinnis, of Hope, Ark., secretary-treasurer.

A complete new roster was elected to the board of directors: W. L. Landers of Batesville, L. F. Haven of Forrest City, K. K. King of Searcy, C. F. Bonner of Pine Bluff, Sidney Wharton of Warren, O. G. Wren of Little Rock and W. E. Mali of Augusta.

## WEEK-OLD BABY TO ACT IN 'ANTOINETTE'

Hollywood, April 12.

A son born April 10 to Mrs. Har Albies, wife of a Metro prop, gets a picture part at the studio next week.

Seven-pounder will be the youngest actor ever used in a picture. He will squirm and squawk for added scenes in 'Marie Antoinette.'

## Rogers' P.A. Tour Routed Over Autry Strongholds

Hollywood, April 12.

Roy Rogers, b g groomed as Gene Autry's successor at Republic, and Smiley Burnette, Autry's former supporting comic, are en route to Dallas, where they will open a series of personal appearances arranged for them by the studio. Kansas City and Oklahoma City are also on the schedule.

Tour is planned to cover those territories where Autry stood out as a box office favorite.

Autry, who was slated to head for South America yesterday (Monday), for 30 weeks of personals, has set back his departure date for two weeks, and will continue his huddles with Republic on the matter of a new contract and forgiveness for having walked out on the company.

## WB Preem in Minneapolis

Hollywood.

World premiere of W diggers in Paris' ill be staged Ju 5 in Minneapolis:

City is the home town Schnicklefritz band, which tured in the production.

### 'GLADIATOR' READY

Hollywood, April 12.

dele Buffington and Charlie Me son are putting the finishing touches to 'The Gladiator,' David L. Loew's second Joe E. Brown starrer for Columbia release. Picture will go into production within the month.

Edward Gross is associate producer.

## It's a Sad Story in L. A., 10 First Runs $42,000 Under Normal; 'B'way' Duo 9G, 'Wall' 13G, 'Hawaii' $12,000

Los Angeles, April 12.

Film houses just can't compete with the tough combination of Holy Week, hot weather, the circus, baseball and the lure of the beaches, with the result they are headed for one of the most brutal weeks in years. Combined take of the 10 first runs operating will be lucky to hit $58,000, a drop of around $42,000 from normal good biz.

Several houses, including Loew's State and Grauman's Chinese, are hitting new lows, with a brutal $11,000 the probable combined take on the stanza. Nothing hot in town so managers are congratulating themselves that things aren't worse.

**Estimates for Th's Week**

**Carthay Circle** (Fox) (1,518; 55-83-$1.10-$1.65)—'Snow White' (RKO) (16th week). Folds (24) after 18 weeks and still playing to profitable biz. Take on 15th stanza hit excellent $8,500, but will probably slide current week along with rest of town.

**Chinese** (Grauman-Fox) (2,024; 30-40-55-75)—'Battle of Broadway' (20th) and 'International Settlement' (20th) dual. They just don't want this brace so goes only 6 days at brutal $4,200, 'Rebecca' replacing 'Broadway.' Last week, 'Human Hearts' (MG) and 'First 100 Years' (MG), not too hot at $8,300.

**Downtown** (WB) (1.800; 30-40-55-65)—'Over the Wall' (WB) and 'He Couldn't Say No' (WB) dual. Prison opus drawing just fair returns with $8,800 and lucky if it reaches that. Last week, 'Jezebel' (WB) second week and 'Blondes at Work' (WB), quite profitable at $9,100.

**Hollywood** (WB) (2,756; 30-40-55-65)—'Over Wall' (WB) and 'Couldn't Say No' (WB) dual. In the doldrums along with rest of the town and will have to be satisfied with slim $6,200. Last week, 'Jezebel' (WB) and 'Blondes' (WB), on second-final stanza failed to hit ex ctations at $8,500, though okay.

**Orpheum** (Bdwy.) (2,280; -30-35-40)—'Everybody's Doing It' (RKO) and 'Romance in Dark' (Par) dual and vaudeville. Just run-of-the-mill fare and nothing outstanding on stage so will likely be held to around $6,000. Last week, 'Quick Money' (RKO) and 'Sergeant Murphy' (WB), not very profitable at $7,100.

**Pantages** (Pan) (2,812; 30-40-55)—'Goodbye Broadway' (U) and 'Hawaii Calls' (RKO) dual. Must be the Bobby Breen feature; at any rate it looks like fair $5,000 on the week. Last week, 'Condemned Women' (RKO) and 'Start Cheeri ' (Col), not profitable at $4,800.

**Paramount** (Par) (3,595; 30-40-55)—'Bluebeard' (Par) (3rd-final week) and stage show. Third stanza fared just so-so for okay $10,000. Second week okay $13,000.

**RKO** (2,872; 30-40-55)—'Goodbye Broadway' (U) and 'Hawaii Calls' (RKO) dual. While rest of town is wailing the blues this spot will do big with probably $7,000 the answer. Last week, 'Condemned Women' (RKO) and 'Start Cheering' (Col) not too hot at $5,000.

**State** (Loew-Fox) (2,414; 30-40-55-75)—'Broadway' (20th) and 'Settlement' (20th) dual. Hits new low, with brutal $4,800 on six days the answer. 'Broadway' pulled, 'Rebecca' (20th) replacing. Last week, 'Human Hearts' (MG) and '100 Years' (MG) pretty dismal $8,300.

**United Artists** (Fox-UA) (2,100; 30-40-55)—'Human Hearts' (MG) and 'First 100 Years' (MG) dual. Another bleak week in store for this pair on moveover, with $1.800 telling the sad story. Last week, 'Sawyer' (UA) and 'No Time' (Col), poor $2,800.

**Wilshire** (Fox) (2,296; 30-40-55-65)—'Hearts' (MG) and '100 Years' (MG) dual. Doing better than its day-dater (UA) and should wind up to profit at fair $4,200. Last week, 'Sawyer' (UA) and 'No Time' (Col) $4,300, about what was expected.

## 'Sally, Irene' O.K. $7,800, 'Old Chi' $6,800, Omaha

Omaha, April 12.

Film row is taking it easy for a brace of reasons which are pre-Easter week and unseasonal Arctic weather. Figures are slight all around, but product is of the same ilk.

**Estimates for This eek**

**Brandeis** (Singer-RKO) (1,250; 10-25-35-40)—'Boy of Streets' (Mono) and 'She's Got Everything' (RKO), dualled. Bill giving average satisfaction at $4,000. Last week 'Slight Case of Murder' (WB) and 'Little Miss Roughneck' (Col) doubled, with March of Time added; slightly better at $4,200.

**Dundee** (Goldberg) (650; 10-25)—'You're Only Young Once' (M-G) and 'I'll Take Romance' (Col) first half; 'Buccaneer' (Par) and 'Three Smart Girls' (U) second half; all dual bills. $700, good in face of wintry weather. Last week ' an Proof' (M-G) and '100 Men and a Girl' (U) first half, and 'Mannequin' (M-G) and 'Manhattan Merry-Go-Round' (Rep) second half, went for $800.

**Avenue-Military** (Goldberg) (810; 950; 10-25)—'You're Only Young Once' (M-G) and 'Thrill of a Lifetime' (Par) first three days; 'Buccaneer' (Par) and 'She Married an Artists' (Col), second four; double, $1,300 combined total. Last week 'Man Proof' (M-G) and 'I'll Take Romance' (Col) first half week, doubled; and 'Mannequin' (M-G) and 'Manhattan Merry-Go-Round' (Rep), $1,400, down a bit.

**Omaha** (Blank) (2,100; 10-25-40)—'In Old Chicago' (20th) and 'Bulldog Drummond's Peril' (Par.), twin bill. $6,800 satisfactory for second seven-day period. Last week 'Golden West' (M-G) and 'Blondes at Work' (WB) twinned; by comparison letdown at $7,500.

**Orphenm** (Blank) (2,978; 10-25-40)—'Sally, Irene and Mary' (20th) and 'Of Human Hearts' (M-G). $7,800, acceptable in face of Holy Week and unseasonal weather. Last week 'Merrily We Live' (M-G) and 'Big Town Girl' (20th) in duo, ditto gross.

## 'MERRILY' 13G IN SLOW CINCY

incinnati, April 12.

Grosses in general stand out like Easter flowers in view of holy week's customary b.o. slump in this burg. Biz as a whole is under last week.

**Estimates for This eek**

**Albee** (RKO) (3,300; 35-42)—'Merrily We Live' (M-G). Good $13,000. Last Week, 'Jezebel' (WB), ditto.

**Capitol** (RKO) (2,000; 35-42)—'Golden West' (M-G). All right $4,500. Last week, 'Bluebeard' (Par) (2d week), same.

**Family** (RKO) (1,000; 15-25)—'Moto Takes a Chance' (20th), 'Old Barn Dance' (Rep), 'Jury's Secret' (U), singly. Above par $2,500. Last week, 'Black Doll' (U), 'Invisible Menace' (WB), 'Small-Town Boy' (GN), separate, $2,300, average.

**Grand** (RKO) (1,200; 25-40)—'Bluebeard' (Par). Okay $3,000. Last week, 'Mad About Music' (U) (3d week), $2,800, fair.

**Keith's** (Libson) (1,500; 25-40)—'Jezebel' (WB). Okay $4,500. Last week 'Rebecca' (20th) (2d week), $3,800, n.s.h.

**Lyric** (RKO) (1,400; 35-42)—'Dangerous to Know' (Par). Terrible $2,800. Last week, 'Condemned Women' (RKO), $4,200, pleasing.

**Palace** (RKO) (2,600; 35-42)—'Baroness and Butler' (20th). Slow $9,000. Last week, 'Golden West' (M-G), $14,000, nice.

**Shubert** (RKO) (2,150; 42-60)—'Lone Wolf in Paris' (Col) and Buddy Rogers band. Fair $11,200. Last week, 'Island in the Sky' (20th) and Major Bowes' 'Collegiate Revue,' $7,800, season's low for combo policy.

## 'HARDY' $6,500, L'VILLE; 'TIP-OFF GIRLS' $3,200

Louisville, April 12.

Going rather sluggish currently, with new pics at only two houses in the downtown sector. Holy Week is running true to form, with three holdovers in town, and new product lightweight. Boys figure biz will take it on the chin, regardless of what is offered in the film houses, so they're not putting forth any particular effort to force matters during this stanza.

**Estimates for This Week**

**Brown** (Fourth Ave.-Loew's)—'Golden West' (MG) and 'Who Killed Gail Preston' (Col) (2d run). Will do well to take $2,000, fair. Last week, 'Bluebeard's Wife' (Par) and 'Bulldog Drummond's Peril' (Par), okay $2,800.

**Kentucky** (Switow) (900; 15-20)—'Swing Your Lady' (WB) and 'Checkers' (20th), dual, split with 'Penrod and Twin Brother' (WB) and 'She's Got Everything' (RKO), dual. Adequate $1,800. Last week, 'Buccaneer' (Par) and 'Beau Hunks' (MG), dual, split with 'Thrill of Lifetime' (Par) and 'Trader Horn' (MG) (reissue), dual, okay $1,900.

**Loew's State** (3.000; 15-30-40)—'Hardy's Children' (MG) and 'Arsene Lupin Returns' (MG), dual. May get $6,500, fair enough. Last week, 'First 100 Years' (MG) and 'Wide Open Faces' (Col), medium $5,500.

**Mary Anderson** (Libson) (1,000; 15-30-40)—'Jezebel' (WB) (3d week). Will likely wind up around $2,900, okay, following last week's satisfactory $3,800.

**Ohio** (Settos) (900; 15)—'Californian' (20th) and 'Marked Woman' (WB), dual, split with 'Go Getter' (WB) and 'When Love Is Young' (U), dual. Normal $1,200. Last week, 'Ready, Willing and Able' (WB) and 'Green Light' (WB) split with 'We Have Our Moments' (U) and 'Public Wedding' (WB), average $1,300.

**Rialto** (Fourth Ave.) (3,000; 15-30-40)—'In Old Chicago' (20th). Has every indication of registering around $8,000, o e, considering first stanza's handsome $14,000.

**Strand** (Fourth Ave.) (1,400; 15-30-40)—'Tip-off Girls' (Par) and 'This Marriage Business' (Par), dual. Slightly under the house average, probably $3,200. Last week, 'Hawaii Calls' (RKO) and 'Maid's Night Out' (RKO), sweet $3,800.

## First Runs on Broadway

**Week of April 14**
*(Subject to Change)*

**Capitol**—'Test Pilot' (MG).

**Criterion**—'Sailing Along' (GB) (15).

**Globe**—' wk).

**Music Hall**—'Adventures of Marco Polo'—(UA) (2d wk).

**Paramount**—'Her Jungle Love' (Par) (13).

**Rialto**—'Wide (Col).

**voli**—'Return of Scarlet Pimpernel' (UA).
*(Reviewed in Vari y, Nov. , '37)*

**Roxy**—'In Ol Chicago' (20th) (2d wk).

**Strand**—'Torchy in Panama' (WB) (18).
*(Reviewed in Current Variety)*

**Week of April 21)**
*(Subject to Change)*

**Capitol**—'Test Pilot' ( (2d wk).

**Globe**—'Penrod and His Twi Brother' (WB) (23).
*(Reviewed in Current Variety)*

**Music Hall**—'There's Always a Woman' (Col).

**Paramount**—'Her Jungle Love' (Par) (2d wk).

**Roxy**—'In Old Chicago' (20th) (3d wk).

## 'Over Wall'-Vaude $7,100, 'Human Hearts' 5G, Indpls.

Indianapolis, April 12.

'In Old Chicago' at the Indiana in its second week with prospects of a strong gross for the holdover stanza is the only thing in the downtown houses that doesn't have to resort to the Holy Week ali i.

**Estimates for This eek**

**Apollo** (Katz-Dolle) (1,100; 25-30-40)—'Jezebel' (WB) and 'He Couldn't Say No' (WB) (2d run). Take is fair at $3,000. Last week, holdover of 'Bluebeard' (Par) and 'Dangerous to Know' (Par.), mild at $2,500.

**Circle** (Katz-Dolle) (2.800; 25-30-40)—'Sailing Along' (GB) and 'Tip-Off Girls' (Par). Draw is weak at $3,400. Last week, 'Hawaii Calls' (RKO) and 'Bulldog Drummond's Perils' (Par), worst in many months at $2,900.

**Indiana** (Katz-Dolle) (3.100; 25-30-40)—'In Old Chicago' (20th) (2d week). Strong at $8,000. Last week, the same pic was socko at $14.500, only a shade under the 'Snow White' record of a few weeks ago.

**Loew's** (Loew) (2.400; 25-30-40)—'Of Human Hearts' (MG) and 'Wide Open Faces' (Col). Lethargic at $5,000. Last week, also was so-so at $4,750 on 'First 100 Years' (MG) and 'Little Miss Roughneck' (Col).

**Lyric** (Olson) (2.000; 25-30-40)—'Over the Wall' (WB) and Nick Boila's '3 Cheers for Rhythm' stage revue. Only lukewarm at $7.100. Last week, 'Island in the Sky' (20th) and Vince Barnett stage unit, bad gross of $6,900.

## DITTO IN BALTO

### Lent, Bad Weather and Poor Pix—'Wolf'-Unit, $10,000

Baltimore, April 12.

Lenten slump coupled with consistently bad weather holding local biz down to uncomfortable low, and strictly run-of-the-mine product not helping to lift matters out of the doldrums. Combo Hipp setting lethargic pace with 'Lone Wolf in Paris' coupled to 'Chicago Follies,' stage unit, at $10,000. Some interest in 'Judge Hardy's Children' at Loew's Century with a possible $8,500 the count.

**Estimates for This Week**

**Auditorium** (McLaughlin) (1,575; 15-25-40)—'Snow Whi ' (RKO) (9th week). Holding a consistent pace to mild profit on rental here after smash four-week run at combo Hipp; even keel at possible $3,000. Last week, somewhat under. Total for run to date, $75,800.

**Century** (Loew's-UA) (3,000; 15-25-35-40-55)—'Judge Hardy' (MG). Getting some interest to $8,500. Last week, 'Tom Sawyer' (UA) made juve trade count to $11,1

**Hippodrome** (Rappaport) (2,205; 15-25-35-40-55-88)—'Lone Wolf in Paris' (Col) plus 'Chicago Follies' stage unit. Setting mild pace at $10,000. Last week, 'Hawaii Calls' (RKO) and vaude, fairish at $10,300.

**Keith's** (Schanberger) (2,460; 15-25-35-40-55)—'Trail of Lonesome Pine' (Par). Revival just so-so, no more than $4.000. Last week, 'Over the Wall' (WB) aided by extra heavy plug from local Hearst News-Post; $4,800.

**New** (Mechanic) (1,558; 15-25-35-55)—'Dangerous to Know' (Par). Not much, $2,500. Last week, 'Walking Down Broadway' (20th) no draw at $2,900.

**Stanley** (WB) (3,250; 15-25-35-40-55)—'Jezebel' (WB) (3d week). Fair week, possible $5,500. Last week satisfactory $9,000 after bullish opening session to $15,300.

## 'HARDY'-WARING $23,000, WASH.

Washington, April 12.

Boys are compromising on the Holy Week bugaboo, most holding off the good stuff as per tradition. Top stuff is set to break Friday and clean up on holiday trade.

**Estimates for This Week**

**Capitol** (Loew) (3,424; 25-35-40-66) 'Hardy's Children' (M-G) and vaude. Pic is pleasing family fare but Waring is the marquee name; should beat Holy Week for good $23,000. Last week, 'First 100 Years' (M-G) and Clyde McCoy band, light $17.000.

**Columbia** (Loew) (1,583; 25-40)—'Goldwyn Follies' (UA) (2d run). Third week downtown will see fair $3,800. Last week, 'Merrily We Live' (MG) (2d run) same figure.

**Earle** (WB) (2,244; 25-35-40-66)—'Over the Wall' (WB) and vaude. Won't get more than fair $15,000. Last week, 'Bluebeard' (Par) slipped slightly, but still nice $19,500.

**Keith's** (RKO) (1,830; 35-55)—'Bringing Up Baby' (RKO) (2d week). Should see oke $7,500. Last week, same pic yanked big $12,000.

**Met** (WB) (1,853; 25-40)—'Bluebeard' (Par.) (2d run). Second week on mainstem after big stay at Earle shooting at nice $5.500. Last week, 'Kid Comes Back' (WB), slid to fair $3,800.

**Palace** (Loew) (2,363; 35-55)—'Golden West' (M-G) (2d week). Should nab good $10.000. Last week, same pic took big $19,000.

## 'JEZEBEL' NICE $6,000, TOPS PORTLAND, ORE.

Portland, Ore., April 12.

'Merrily We Live' at Parker's Broadway' and 'Jezebel' at the Hamrick-Evergreen Orpheum had an open field as the only two new films in the burg's major houses. oth are cashing in well.

**Estimates for This Week**

**Broadway** (Parker) (2,000; 30-55)—'Merrily We Live' (M-G) and 'She Loved a Fireman' (WB). Registered well and getting across nicely for $5,500. Last week, 'First 100 Years' (M-G) and 'Crime of Dr. Hallet' (U) closed for average $4,800.

**Mayfair** (Parker-Evergreen) (1,500; 30-55)—'Snow White' (RKO). Still good for $2,500. Last week, 'Mad About Music' (U) and 'Arsene Lupin Returns' (M-G), okay $1,800.

**Orphenm** (Hamrick-Evergreen) (2,000; 30-55)—'Jezebel' (WB) and 'Romance in the Dark' (Par) another winner for this house and will get healthy $6.000. Last week, 'Snow White' (RKO) closed a strong fifth stanza at $3,700.

**Paramount** (Hamrick-Evergreen) (3,000; 30-55)—'Bluebeard' (Par) and 'Night Spot' (RKO) (2d week). Mopping up for $4,500. First week was big $7.500.

**ivoli** (Indie) (1.200; 15-40)—'Old Barn Dance' (Mono) and 'There Goes the Groom' (RKO). Okay $2,700. Last week, 'Murder on Diamond Row' (UA) and 'Mama Runs Wild' (Rep) and vaude got across nicely for strong $3,000.

**United Artists** (Parker) (1.000; 30-55)—'Golden West' (M-G) (3d week). Still going for healthy $5.000. Second week, big $6,500. First week terrific $8,200.

## 'Drummond'-Vaude $19,000, Bette 15G, Deanna O.K. $18,200; Philly Spotty

Philadelphia, April 12.

Same old story here this week—houses with product are clicking, those without it dying. Only exception seems to be Aldine with 'Gaiety Girls' (UA), which was treated none too kindly by crix, but hardly so bad as biz indicates. Total take for the week was pushed down somewhat by h.o.'s and punko weekend, which apparently sent fans into the outdoors with pleasant weather after three days rain.

**Estimates for This eek**

**Aldine** (WB) (1,303; 42-57-75).—'Gaiety Girls' (UA). Terrifically sour at $8,000. Last week 'Divorce of Lady X' (UA) in its second lap also terrible at $5,100. Held over only because of UA commitment. 'Marco Polo' blusters in Saturday (16).

**Boyd** (WB) (2,350; 42-57-68-75).—'Mad About Music' (U). Deanna continues her healthy hold on Philly; good for big $18,200; set for another round. Last week, 'Hardy's Children' (MG), $10,300, red.

**Earle** (WB) (2,758; 26-37-42-57-68).—'Bulldog Drummond's Peril' (Par), Happy Felton band on stage. Combo not powerful enough to hold house up to levela it has become accustomed to on big name bands; plenty on the profit side, though, at $19,100. Last week, 'Hawaii Calls' (RKO) and Monte Blue, Jackie Cooper and Lucy Monroe on the boards, $22,700, okay.

**Fox** (WB) (2,423; 42-57-68-75).—'Bluebeard' (Par) (3d week). Longest holdover house has had for months and still good at $9.000, although hardly strength enough for another. Last week's $13,800 also nice.

**Karlton** (WB) (1,068; 42-57-68).—'Rebecca' (20th) (2d run). Held for 10 days to get house back on Saturday opening policy and hitting nice $7,100 for the run. Last week, 'First 100 Years' (MG), also lush at $5,600 for seven days.

**Keith's** (WB) (1,870; 42-57-68).—'Snow White' (RKO) (2d run) (2d week). Cartoon holding right up with neat $8,000 in its sixth week in town. Last week, swell $10,700.

**Stanley** (WB) (2,918; 42-57-68-75).—'Jezebel' (WB) (2d week). Gathering sunny $15,000 but not powerful enough for another week against backlog which has piled up as result of four weeks of 'Snow White' here. Opening session, v.g. $22,900. 'Fools for Scandal' in Friday (15).

**Stanton** (WB) (1,457; 37-42-57).—'Tip-Off Girls' (Par). Clicking off regular $5,200. Last week, 'Over the Wall' (WB), hooked $5,300. 'Prison Nurse' in Saturday (16).

## 'SALLY, IRENE' $6,000, '100 YEARS,' 5G, MONT'L

Montreal, April 12.

Last week of Lent is slowing all main stems with sole exception of St. Denis, which is showing the Passion Play film, 'Golgotha,' in French to turnaway biz and a probable gross of $9,000.

**Estimates for This eek**

**Palace** (CT) (2,700; 50)—'First 100 Years' (MG). Possible $5.000 gross, fair. Last week, 'Bluebeard' (Par), good at $7,500.

**Capitol** (CT) (2,700; 50)—'Sally, Irene and Mary' (20th) and 'International Settlement' (20th). Best English biz in town and may gross $6.000, good enough. Last week, 'Jezebel' (WB) and 'He Couldn't Say No' (WB), $6,500.

**Loew's** (M. T. Co.) (3,200; 50)—'Wide Open Faces' (Col) and 'Lone Wolf in Paris' (Col). Likely gross not above $3,500, poor. Last week, 'Start Cheering' (Col) and 'The Black Doll' (Col), not good at $4,000.

**Princess** (CT) (2,300; 50)—'Of Human Hearts' (MG) and 'The Women Men Marry' (MG), Outlook is for $4.000, fair. Last week, 'Sunnybrook Farm' (20th) and 'Charlie Chan at Monte Carlo' (20th), $5,500, good.

**Orphenm** (Ind) (1,100; 50)—'Stand In' (UA) and 'Bulldog Drummond's Revenge' (Par) (2d week). May get $2,500, following a good $3,500 last week.

**Cinema de Paris** (France-Film) (600; 50)—'Soeurs D'Armes' (2d week). Poor $1,000, after meagre $1.400 last week.

**St. Denis** (France-Film) (2,300; 34)—'Golgotha' and 'Promesses.' Reli ious pic is getting everyone in and should gross certain $9.000, with possible five figures, excellent biz. Las week, 'Gigolette' and 'Choc Retour,' fair $4.000.

## BILSON IN FOCUS

Hollywood, April 12.

George Bilson, who quit Warners' writing staff to become a producer at Universal, will have charge of the filming of his original, 'Candid Camera Girl,' in addition to a series of collegiate features.

He has assigned Milton H. Gr per to screenplay the camera y

# Everything Considered Chi's H.O.'s Fine; 'Jezebel' $17,000 on 2d Week, Disney's 6th Lap Strong $13,000

Chicago, April 12.

Well, so it's Holy Week. So there's an alibi. Most of the loop houses, taking for granted that there's going to be desertion at the box-office this week, didn't bother to change attractions and are getting a pleasant surprise with all h.o.'s doing splendidly.

They are 'Bluebeard,' 'Jezebel,' 'Snow White,' 'Judge Hardy's Children' and 'Tom Sawyer.' Only the State-Lake and the cheapie Garrick and Apollo bothered to bring in new shows for the current little-hope session.

Outstanding among the pictures is 'Judge Hardy' at the Roosevelt, which has a built-up audience from previous 'Hardy Family' pictures—'Family Affair' and 'You're only Young Once.' Series has a big following locally, and click of current release indicates that Metro has a b.o. idea in the family group.

**Estimates for This Week**

**Apollo** (B&K) (1,200; 35-45-55-65)—'Lupin Returns' (MG). Not going any place, maybe $4,500. Last week 'Golden West' (MG) somewhat better with $5,900.

**Chicago** (B&K) (4,000; 35-55-75)—'Bluebeard' (Par) and stage show. Holdover for entire shebang, looking for good $22,000. Finished last week to okay $26,000, slipping somewhat after strong start.

**Garrick** (B&K) (900; 25-35-55-65)—'Swing Your Lady' (WB). Also plenty of bally for added 'Dance of Virgins,' Bali travelog. For the week probably $5,000, good. Last week 'Over the Wall' (WB) had strong press cooperation from Hearst and tagged $7,500, fine.

**Oriental** (B&K) (3,200; 35-55-75)—'Jezebel' (WB) and vaude (2d week). At $17,000, a good gallop under conditions. Last week was a coin-maker at $24,000.

**Palace** (RKO) (2,500; 35-55-65-75)—'Snow White' (RKO) and vaude (6th-final week). Cartoon, which has cracked records in this town, finishing to $13,000, still a fine take for the run and session. Last week excellent $20,800.

**Roosevelt** (B&K) (1,500; 35-55-65-75)—'Judge Hardy' (MG) (3d week). Has been piling up a following and will do $8,500 for current session, good. Last week was a money-maker with $10,500.

**State-Lake** (Jones) (2,700; 25-35-45-55)—'King of Newsboys' (Rep) and vaude. Down somewhat in face of week and will do $9,000, better than loop average currently. Last week so-so $10,500 with 'Drummond's Revenge' (Par).

**United Artists** (B&K-UA) (1,700; 35-45-65-75) — 'Sawyer' (UA) (2d week). Looks for $9,000 currently, good. Last week okay $13,100. 'Test Pilot' (MG) next.

## Key City Grosses

**Estimated Total Gross**
**This Week** ........ $1,290,000
*(Based on 23 cities, 160 theatres, chiefly first runs, including N. Y.)*
**Total Gross Same**
**Last Year** .........$1,872,850
*(Based on 26 cities, 100 theatres)*

# 'SAWYER' GREAT $10,000 PACING SLOW SEATTLE

Seattle, April 12.

Moveover for possible four weeks extended run at MB looks the fate of 'Snow White' after four big weeks at the Fifth Avenue. Steady draw as end neared was well maintained, making run remarkable.

**Estimates for This Week**

**Blue Mouse** (Hamrick-Evergreen) (650; 32-37-42)—'Bluebeard' (Par) and 'Dangerous to Know' (Par), dual (3d week). Indicated great ,-000. Last week, 'Sally, Irene and Mary' (20th) and 'International Settlement' (20th), dual (2d week), six days, $2,400, fair.

**Coliseum** (Hamrick-Evergreen) (1,-950; 21-32)—'Mannequin' (M-G) and 'Love Is Headache' (M-G), dual. Expected good $3,500. Last week, 'Hurricane' (UA) and 'Beg, Borrow or Steal' (M-G), dual, $3,400, good.

**Colonial** (Sterling) (850; 10-21)—'Hopalong Rides Again' (Par) and 'Born to Be Wild' (Rep), dual. Anticipated very good $2,300. Last week, 'Behind the Mike' (U) and 'Hold 'Em Navy' (Par), dual, split with 'Western Gold' (20th) and 'Wallaby Jim' (GN), dual, $2,100, good.

**Fifth Avenue** (Hamrick-Evergreen) (2,366; 32-37-42)—'Sunnybrook Farm' (20th) and 'Trip to Paris' (20th), dual. Heading for okay $6,500. Last week, 'Snow White' (RKO), nine days (4th week), $7,600, big.

**Liberty** (J-vH) (1,800; 21-32-42)—'Divorce of Lady X' (UA). Getting on for possible satisfactory $4,500. Last week, 'Met My Love Again' (UA) and 'Trapped by G-Men' (Col), dual, $3,700, mild.

**Music Box** (Hamrick-Evergreen) (850; 32-37-42)—'Snow White' (RKO) (5th week). Anticipated $3,700. Last week, 'Mad About Music' (U) and 'Walking Down Broadway' (20th), dual, eight days, $2,900, good.

**Orpheum** (Hamrick-Evergreen) (2,600; 32-37-42)—'Merrily We Live' (M-G) (2d week) and 'Black Doll' (U). Indicated good $4,200. Last week, 'Merrily We Live' (M-G), and 'Romance in Dark' (Par), dual, $6,-500, big.

**Palomar** (Sterling) (1,350; 10-21-37)—'My Old Kentucky Home' (Mono) and 'Patient in Room 18' (WB) with vaude. Expected $3,600, good. Last week, 'King of Newsboys' (Rep) and 'Daredevil Driver' (WB) dual, plus vaude, $4,200, big.

**Paramount** (3,049; 32-37-42)—'Tom Sawyer' (UA) and 'Mr. Moto's Gamble' (20th), dual. Climbing to great $10,000. Last week, 'Bluebeard' (Par) and 'Dangerous to Know' (Par) dual (2d week), $6,300, big.

**Roosevelt** (Sterling) (850; 21-32)—'Swing Your Lady' (WB) and 'I'll Take Romance' (Col), dual. Appears set to land $2,500, good. Last week, 'Hollywood Hotel' (WB), and 'Bulldog Drummond's Revenge' (Par), dual, $2,300, moderate.

# DURBIN-VAUDE $17,500, BOSTON

Boston, April 12.

No important new product on local screens for Holy Week spells soft biz. After seven good weeks in their first run stands here, RKO is booking in 'Snow White' again for a second run at the Bijou (40c. top), beginning Saturday (16).

**Estimates for This Week**

**Boston** (RKO) (3,212; 25-35-40-55)—'Condemned Women' (RKO) and Buck and Bubbles on stage. Fair $10,500 indicated. Last week, 'Walking Down Broadway' (20th) and stage unit, soft $10,700.

**Fenway** (M&P) (1,362; 25-35-40-55) — 'Bluebeard' (Par) (2d run) and 'Accidents Will Happen' (WB) (1st run), dual. Very good $8,000 on the way. Last week, okay $6,800 for 'Arsene Lupin Returns' (MG) and 'Over the Wall' (WB), double.

**Keith Memorial** (RKO) (2,907; 35-50-65) — 'Mad About Music' (U) and stageshow, starring Jane Pickens, both held over. Tallying about $17,-500, good. First week was very good $22,500 for this combo.

**Metropolitan** (M&P) (4,267; 25-35-40-55) — 'Jungle Love' (Par) and 'Island in the Sky' (20th), dual. Will be only about $12,500, disappointing. Last week, 'Jezebel' (WB) and 'Love on a Budget' (20th), dual, excellent $19,000.

**Orpheum** (Loew) (2,900; 25-35-40-55) — 'Wide Open Faces' (Col) and 'Everybody Sing' (MG), double. Pale $10,000. Last week, okay $15,700 for 'Tom Sawyer' (UA) and 'Start Cheering' (Col), double.

**Paramount** (M&P) (1,797; 25-35-40-55)—'Bluebeard' (Par) (2d run) and 'Accidents Will Happen' (WB) (1st run), dual. Strong $10,000 promised. Last week, very good $10,000 for 'Over the Wall' WB) and 'Arsene Lupin Returns' (MG), dual.

**Scollay** (M&P) (2,538; 25-35-40-50) — 'Goldwyn Follies' (UA) and 'Arsene Lupin' (MG) (both 2d run), dual. Looks encouraging, around $7,000. Last week, 'Slight Case of Murder' (WB) (3d run) and 'First 100 Years' (MG) (2d run), dual, good $7,000.

**State** (Loew) (3,600; 25-35-40-55)—'Wide Open Faces' (Col) and 'Everybody Sing' (MG), dual, tepid $7,500. Last week, good $12,600 for 'Tom Sawyer' (UA) and 'Start Cheering' (Col), double.

# 'Sally, Irene' Neat $4,000, 'Sacred' 3G; Lincoln OK

Lincoln, April 12.

With weather just cool enough to make fans film-conscious and some heavy exploitation aiding no little, Lincoln biz is of the record-breaking type. 'Sally, Irene and Mary' can't help but click with a who's who cast composed of local favorites, and 'Nothing Sacred' is out for some hefty grosses.

**Estimates for This Week**

**Kiva** (Noble) (440; 10-15)—'Prison Nurse' (Rep). Not even the neat looking cashiers can save this from getting better than a bad $900. Last week, 'Start Cheering' (Col), a satisfactory $1,100.

**Liberty** (Cooper) (1,200; 10-15)—'Rawhide' (20th) and 'Riding on Air' (RKO), split with 'Rip Roarin' Buckaroo' (Vic) and 'Top of Town' (U). Lou Gehrig and Joe E. Brown names have this headed for a very neat $1,300. Last week, 'Spy Ring' (U) and 'Heidi' (20th), split with 'Code of Rangers' (Mono), and 'China Clipper' (WB), tapered off with fair $1,000.

**Lincoln** (Cooper) (1,600; 10-20-25-35)—'Nothing Sacred' (UA). Very profitable $3,000. Last week, 'Boy of Streets' (Mono) and 'Paradise for Three' (MG) had to be satisfied with a slim $2,200, after a good start.

**Orpheum** (Cooper) (1,350; 10-15-20-25)—'52d Street' (UA), and 'Living on Air' (RKO). Heading for substantial $1,400. Last week, 'Goldwyn Follies' (UA) finished its hold-over spell with nifty $1,500.

**Stuart** (Cooper) (1,900; 10-25-40)—'Sally, Irene' (20th). A neat $4,000 in the offing. Last week, 'Yank at Oxford' (MG) slowed down towards the end but good enough $3,600.

# MARQUEE KIDS HYPO FRISCO

San Francisco, April 12.

Taking advantage of the closing of schools during the week preceding Easter Sunday, three of the first runs on main stem featuring moppet stars on the screen. Best draw of the lot is Shirley Temple in 'Rebecca.' Orpheum has 'Little Miss Roughneck' (Edith Fellows) and Bobby Breen is faring much better than expected at the United Artists, being held in this class house for a second week in 'Hawaii Calls.' The St. Francis also is out for kid trade with 'Snow White,' which has been moved over from the Golden Gate, where it ran five weeks.

**Estimates for This Week**

**Embassy** (Cohen) (1,512; 35-55)—'Night Spot' (RKO) and 'Living on Love' (RKO). Just a filler during the Lenten season; lucky to get $3,500 with this combo. Last week (5th) 'Goldwyn Follies' (UA) $4,000, oke.

**Fox** (F-WC) (5,000; 35-55) — 'Rebecca' (20th) and 'Couldn't Say No' (WB). Shirley Temple's latest a perfect Easter feature; anticipated $15,000 is good big these days. Last week (2d) 'Bluebeard' (Par) and 'Walking Down Broadway' (20th) fair enough $9,000.

**Golden Gate** (RKO) (2,850; 35-55)—'Law of Underworld' (RKO) and vaudeville. Schlepperman of Jack Benny's radio program heads the stage bill which is a little better than usual, not bad at $14,000. Last week (5th) 'Snow White' (RKO) closed to big $12,000.

**Orpheum** (F&M) (2,440; 35-55) — 'Little Miss Roughneck' (Col) and 'Dr. Hallet' (U). This house also out for some of the kid trade with this not so forte pair which will be lucky to get $7,000. Show is fairly good entertainment but neither of the pictures strong in marquee names. Last week (5th) 'Mad About Music' and 'Midnight Intruder' (U) threw in several previews which helped gross to $5,200, a little under expectations.

**Paramount** (F-WC) (2,740; 35-55-75)—'Old Chicago' (20th) (4th wk). One week too long for this thriller, all smoke and no flame at $5,500. Last week burned more brightly at $9,000.

**St. Francis** (F-WC) (1,470; 35-55-75)—'Snow White' (RKO) (6th wk). Smaller nut at the St. Francis should make the extension of the run of the Disney feature profitable at this house where it is headed for good $6,000 after garnering around $90,000 during five stanzas at the Golden Gate. Last week (5 days) 'First Hundred Years' (MG), and 'Invisible Menace' ( ) did $3,500 following its moveover from the Warfield last week.

**United Artists** (Cohen) (1,200; 35-55)—'Hawaii Calls' (RKO) (2d wk). Personal appearance of Bobby Breen during opening two days of picture got 'Hawaii Calls' off to a good start. Biz held up so well that engagement was extended a second week which should reach fair enough $4,500. Last week drew surprisingly good $9,000.

**Warfield** (F-SC) (2,680; 35-55-75)—'Jezebel' (WB) and 'Island in the Sky' (20th) (2d wk). Looks like Warner Bros. have taken the wind out of 'Gone with the Wind,' the Bette Davis picture doing remarkably good biz. Second week aiming at $10,000 which is several grand better than most pictures have been doing during their first week at the Warfield. Last week great $17,500.

### WB ROLLS 'GARDEN'

Hollywood, April 12.

Warners' 'Garden of the Moon' finally got under way last week with Busby Berkeley directing and Pat O'Brien and John Payne featured.

Penny Singleton replaced Dennie Moore in the cast, the latter having undergone an emergency tonsilectomy.

# 'Marco Polo' with Strong $90,000 And 'Old Chicago' 62G Stand Out On B'way; Allen Jones Ups 'Tom,' 28G

## Broadway Grosses

**Estimated Total Gross**
**This Week**.......... $278,000
*(Based on 12 theatres)*
**Total Gross Same Week**
**Last Year**............$331,300
*(Based on 11 theatres)*

Subtract the Music Hall and Roxy from this week's Broadway audit and little is left to be divided among the rest of N. Y.'s first runs. It's Holy Week and although two pictures, 'Marco Polo' and 'In Old Chicago,' wouldn't know it, most all of the other houses can use it as an alibi if wanting to protect current pictures they're playing from accusation. Behind the Music Hall and Roxy, biggest theatres in Manhattan, the second-run State is finishing a strong third, beating everything else.

Bolstered by a fine Easter show, in a week in advance of the end of Lent, 'Polo' is taking the M. H. to a handsome figure, the chances looking good to top $90,000. The picture holds through Easter, with a third week not remote. Majority of the rest of the fans who aren't observing Holy Week or the weather are beating a well-worn path to the Roxy, where 'In Old Chicago' was stronger Monday (11) than on its opening day, Friday (6). On the first week should smash about $62,-000. Also a likely three-weeker.

Third money goes to 'Tom Sawyer,' on second run with a vaude layout headed by Allan Jones, which should get the State $28,000, or better. This is considerably over the recent average here.

In addition to 'Polo' and 'Chicago,' new pictures include 'Women Are Like That,' 'Return of Scarlet Pimpernel,' 'Judge Hardy's Children,' 'Hollywood Stadium Mystery' and 'Rawhide.'

Down on its back and gasping after several bad blows recently, the Rivoli is still taking the count with 'Pimpernel.' Though better than 'Gaiety Girls,' in ahead, which grossed only $6,000 on 10 days, 'Pim' is a sad spectacle at only about $10,-000 on the week.

No less suicidal is 'Women Are Like That' at the Strand. The Kay Francis starrrer will be lucky to better $9,000. Capitol may squeeze through to $19,000, not a loss, but feeble, on eight days with 'Judge Hardy's Children,' the kind of a picture they apparently don't want on Broadway when 'Polo,' 'Chicago' and Allan Jones are around.

'Stadium Murder Mysteries' may get the Criterion $8,500, not too bad, while 'Rawhide,' Globe's Holy Week hope, will probably end at around $6,000, a little under average. Rialto is playing 'Dracula' on a revival, its chances looking about $6,000 also.

Four days of wet weather last week, starting with snow Wednesday (6) and rain thereafter through most of Saturday, was the answer to no one's prayer. With clearing Saturday evening and cold weather Sunday, Broadway theatres got a break, houses like the Roxy and Music Hall knocking out a terrific week-end. Sunday's business at the Music Hall was just under $20,000 alone, equalling the Saturday take, which is unusual. Monday (11) dipped in most spots more than anticipated.

With the coming of Easter, all managers are expecting a good break where the kids can be drawn. They are out of school starting Good Friday (15) through to April 25. Hooray!

'The Call,' religious French-made film, sponsored by a Catholic organization, with all proceeds on a $2 twice-daily run at the Astor going to charity, quit after two bad weeks. Picture originally scheduled a run of five weeks.

**Estimates for This Week**

**Capitol** (4,520; 25-35-55-85-$1.25)—'Judge Hardy's Children' (MG). Going eight days but doing little, looking $19,000 top on that run. Last week, second for 'Girl of Golden West' (MG), $24,000, a trifle disappointing but good profit.

**Criterion** (1,662; 25-40-55)—'Hollywood Stadium Mysteries' (Rep). Pulling hard to eke out more than $8,500 but doubtful, fair. Last week, 'King of Newsboys' (Rep), around $11,000, nice.

**Globe** (1,274; 25-40-55)—'Rawhide' (20th). Highly recommended western with Lou Gehrig, ball player, up against Holy Week and lucky if more than $6,000, under average. Last week, 'Port of Missing Girls' (Mono), the same gross was the answer.

**Palace** (1,700; 25-35-55)—'Jezebel' (WB) (2d run) and 'Moto's Gamble' (20th) (1st run), coupled. Bette Davis, plus Moto following may mean a week of around $12,000 here, surprising. Last week, 'Slight Case of Murder' (WB) (2d run) and 'Walking Down Broadway' (20th) (1st run), built toward finish, $11,500.

**Paramount** (3,664; 25-35-55-65-99)—'Her Jungle Love' (Par) with Tommy Dorsey orchestra and Ben Blue personaling open today (Wed.). 'Bluebeard' (Par) and Guy Lombardo orchestra (3d-final week) ended its 21-day run last night (Tues.) with $27,500 scored final lap, okay, after a second week's stout take of $44,000 and a first stanza's smash $56,000.

**Radio City Music Hall** (5,980; 40-60-64-99-$1.65)—'Marco Polo' (UA) and stage show (1st week). This may be Holy Week but cashiers wouldn't know it over here as they punch out tickets to spell a swell $90,000 or better, something not to write the Vatican about. Show holds through Easter, and with kids out of school until April 25, house having fine bill for the tots, a third session is likely. Last week was disappointing, things combining to keep the take to $65,000, though profit, with 'Divorce of Lady X' (UA).

**Rialto** (750; 25-40-55)—'Dracula' (U) (reissue). Probably around ,-000 goes on the books as credit to this one, mild but profit. Last week, 'Making Headlines' (Col), $6,200.

**Rivoli** (2,092; 25-55-75-85-90)—'Pimpernel' (UA). They must have forgotten the Riv is here as another very disappointing week stands in store for the house at $10,000 or thereabouts with this English-made. Last week a new low of $6,000 on 10 days was what 'Gaiety Girls' (UA) did to the luckless theatre.

**Roxy** (5,636; 25-40-55-75)—'Chicago' (20th) and stage show. Battering its way through to a smash week of $62,000 or in that vicinity and holds through Easter as well as probably a third stanza. Last week 'Rebecca' (20th) (2d week), a little under $30,000, low but profit.

**Strand** (2,767; 25-55-75)—'Women Are Like That' (WB). The chips aren't on this one, $9,000 excruciatingly painful. Last week, second for 'Over the Wall,' (WB), only around $8,500, poor.

**State** (3,45 ; 35-55-75)—'Sawyer' (UA) (2d run) and vaude headed by Allan Jones. id picture and Jones a nice combination, draught looking a snug $28,000, very good. Last week, 'Everybody Sing' (MG) (2d run) and Bert Wheeler, around $26,000.

# 'OVER WALL' 19G, PTSBG. NOT BAD

Pittsburgh, April 12.

Everything considered, local biz is oke. Not only Holy Week but Saturday, usually gravy, produced worst snowstorm and blizzard of year and even so, grosses won't be half bad at all.

**Estimates for This Week**

**Alvin** (Harris) (2,000; 25-35-50)—'Little Miss Roughneck' (Col) and 'He Loved An Actress' (GN). Opened yesterday (Monday) for four days only, following 'Thank You, Mr. Moto' (20th) and 'Walking Down Broadway' (20th), which was in for similar length of time. Doubtful if the brace of twinners will account for meagre $4,000 in eight days, house waiting for 'In Old Chicago' (20th) Friday (15) and hoping for a run. Last week, revival of 'Viva Villa' (M-G) and 'City Girl' (20th) excellent at more than $5,000.

**Fulton** (Shea-Hyde) (1,750; 25-40)—'Prison Nurse' (Rep) and 'Love Is A Headache' (M-G). One of the week's bigger surprises; should hit around $6,000 and may hold despite fact that 'Rebecca of Sunnybrook Farm' (20th) is already pencilled in for day before Easter. Last week, 'Mad About Music' (U) stuck three days in fourth week and on the 10 days collected nearly $7,000.

**Penn** (Loew's-UA) (3,300; 25-35-50)—'Bringing Up Baby' (RKO). Should be pretty close to $13,000 at the finish; not bad at all for the season. Last week, 'Tom Sawyer' (UA) plenty all right at $16,500.

**Stanley** (WB) (3,600; 25-40-60)—'Over the Wall' (WB) and on stage Jackie Cooper and Major Bowes unit. Hit hard by snowstorm, but should clock around $19,000. Last week, 'Merrily We Live' (M-G) and Happy Felton-Larry Crabbe on stage, in the doghouse at $14,000.

**Warner** (WB) (2,000; 25-40) — 'Daughter of Shanghai' (Par) and 'Daredevil Drivers' (WB). Ought to get $3,800, pretty nearly average. Last week, 'Hitting A New High' (RKO) and 'Sergeant Murphy' (WB) out on a limb at $3,200.

# Mpls. Biz Brutal; Shirley $7,200, 'Revels' $4,000, '100 Years N.G. $3,500

Minneapolis, April 12.

Holy Week finds the composite local boxoffice, apparently on its last legs for some time, gasping for breath. Deep-dyed gloom casts its pall over the scene and the patient seems about to expire.

Eddy Duchin comes into the Orpheum Friday (15) for an Easter Week engagement and maybe things will perk up a little then. But the Singer theatre's experience with its last two stage shows, including Mae West, sure boxoffice elsewhere, has provoked anything but joy and has the bunch on the anxious seat for the future.

**Estimates for This Week**

**Aster** (Par-Singer) (900; 15-25) — 'Charlie Chan in Monte Carlo' (20th) and 'Checkers' (20th). Should hit satisfactory $1,200. Last week, 'Penitentiary' (Col) and 'No Time to Marry' (Col), okay $1,000.

**Century** (Par-Singer) (1,600; 25-35-40) — 'First 100 Years' (MG). Sledding rather tough; $3,500 in prospect. Last week, 'Romance in Dark' (Par), $2,200, bad.

**Minnesota** (Par-Singer) (4,200; 25-35-55) — 'Sunnybrook Farm' (20th). Only a mild boxoffice performer at $7,200. Last week, 'Bluebeard' (Par), $9,000, pretty good.

**Orpheum** (Par-Singer) (2,890; 25-35-40) — 'Radio City Revels' (RKO). Light $4,000 looks like tops. Last week, 'Kid Comes Back' (WB) and Mae West in person, with latter entirely responsible for $19,500, which is about $11,000 under what house expected and leaves it in red.

**State** (Par-Singer) (2,300; 25-35-55) —'Bluebeard' (Par). Now on toboggan and will do well to reach light $4,200. Last week, 'Snow White' (RKO) (5th week), $3,200, making total of more than $45,000 for loop run, magnificent.

**Time** (Berger) (290; 15-25) — 'Boy of Streets' (Mono) (2d run). Headed for fine $1,000, more than house has been getting recently. Last week, 'China Clipper' (WB) (reissue), $600, light.

**Uptown** (Par) (1,200; 25-35)—'Mannequin' (MG). Looks like fair $3,000. Last week, 'Big Broadcast' (Par), $2,500, light.

**World** (Steffes) (350; 25-35-40-55) —'Mad About Music' (U) (2d run). Should grab pretty good $1,700. Last week, 'Club de Femmes' (French) (2d week), $1,600. Good.

# Robert Taylor $11,500, 'Murder' $8,000, Denver

Denver, April 12.

Most local grosses are off this week. Holy Week is biffing the b.o. and the weather is no help. Double bill at the Orpheum is turning in the best biz locally.

**Estimates for This Week**

**Aladdin** (Fox) (1,400; 25-40)—'Mad About Music' (U) (2d run). Headed for excellent $4,500 and will move to the Broadway. Last week, 'Sunnybrook Farm' (20th) (2d run), very nice at $4,500—good enough to advance to a third week in local first runs at the Broadway.

**Broadway** (Fox) (1,100; 25-40)— 'Sunnybrook Farm' (20th) (3d run). Getting fair $2,000 and moves to the Rialto. Last week, 'Goldwyn Follies' (UA), good at $3,000—moving to the Rialto for a fourth week in Denver first runs.

**Denver** (Fox) (2,525; 25-35-50)— 'Slight Case of Murder' (WB). Pulling a fair $8,000, but good enough to insure move to the Aladdin. Last week, 'Mad About Music' (U), kept up the Durbin style of grosses; fine $13,000.

**Orpheum** (RKO) (2,600; 25-35-40) —'Yank at Oxford' (M-G) and 'Love Is A Headache' (M-G). Yanking a strong $11,500. Last week, 'Bringing Up Baby' (RKO) and 'Night Spot' (RKO), nice at $9,250.

**Paramount** (Fox) (2,200; 25-40)— 'Walking Down Broadway' (20th) and 'The Jury's Secret' (U). Drawing a fair $3, 0. Last week, 'Little Miss Roughneck' (Col) and 'Lone Wolf in Paris' (Col), above average at $4,000.

**Rialto** (Fox) (878; 25-40)—'Goldwyn Follies' (UA) (4th run). Knocking off a good $2,000. Last week, 'Tom Sawyer' (UA). (2d week) (4th run), with 'Sez O'Reilly to McNab' (G-B), nice $2,000.

# 'Joy of Living' Mild 9G, Best in Stricken Buffalo

Buffalo, April 12.

Takings are dropping to basement levels currently with the week probably being the lowest ebb of the season. All houses are presenting practically makeshift programs and figuring merely to keep rolling until Easter week.

**Estimates for This Week**

**Buffalo** (Shea) (3,500; 35-40-60)— 'Joy of Living' (RKO). Not showing any activity and very subnormal at around $9,000. Last week 'Jezebel' (WB), did okay and bettered expectations for $13,000.

**Century** (Shea) (3,000; 25-35)— 'Condemned Women' (RKO) and 'Love, Honor and Obey' (WB). Holding up fairly well for $7,600. Last week, 'Slight Case of Murder' (WB) and 'Walking Down Broadway' (20th), tiptop business, $9,800.

**Great Lakes** (Shea) (3,000; 35-55)— 'In Old Chicago' (20th) (3d week). Holdover should get fair $6,500 or better. Last week came in over estimates for nice $10,800.

**Hipp** (Shea) (2,100; 35-50)—'Hardy's Children' (M-G) and 'Bulldog Drummond's Revenge' (Par). So-so at probably $7,000. Last week, 'First 100 Years' (M-G) and 'Daughter of Shanghai' (Par), dropped to $5,500.

**Lafayette** (Ind.) (3,300; 25-35)— 'Trapped by G-Men' (Col) and 'It Happened in Hollywood' (Col). Some improvement over last week, but only fair at $6.000. Last week, 'Wide Open Faces' (Col) and 'Game That Kills' (Col), very low $4,300.

# 'HARDY' NICE $12,000, BEST IN SLOW PROV

Providence, April 12.

Holy Week is proving a tear jerker. Most stands are just hoping to pull through for an average take and looking forward to a seasonal uplift after Easter.

**Estimates for This Week**

**Albee** (RKO) (2,200; 25-35-50)— 'Mad About Music' (U) and 'Night Spot' (RKO) (2d run). Looks for okeh $6,500. Last week, same films rang bell for nifty $8,500.

**Carlton** (Fay-Loew) (1,400; 25-35-50)—'Golden West' (M-G) (2d run). Holding up well and heading for average $4,000. Last week, 'Jezebel' (WB) and 'Blondes at Work' (WB) (2d run) stood up for fine $4,200.

**Fay's** (2,000; 25-35-50)—'She Loved a Fireman' (WB) and vaude. Only so-so $5.000 in the offing. Last week, 'Rawhide' (20th) and stageshow. Weather helped for fairly good $6,000.

**Loew's State** (3,200; 25-35-50)— 'Hardy's Children' (M-G) and 'Lone Wolf In Paris' (Col). Expecting slight drop for satisfactory $12,000. Last week, 'Golden West' (M-G) hit neat $13,500.

**Majestic** (Fay) (2,300; 25-35-50)— 'Island in the Sky' (20th) and 'Love, Honor and Behave' (WB). Doing Brodie for poor $6,000. Last week, 'Walking Down Broadway' (20th) and 'Mr. Moto's Gamble' (20th) came through with fair $7,000.

**Strand** (Indie) (2,200; 25-35- )— 'Little Miss Roughneck' (Col) and 'My Old Kentucky Home' ( ono) closes today (Tuesday) with poor $3,000 for five-day run. Replaced by 'Blossoms On Broadway' (Par) and 'Sea Racket r' (Rep). Last week, 'Bluebeard' (Par) and 'Thunder Trail' (Par) took swell $11,000.

# Shirley-'Moto' $16,500, 'Jezebel' $15,000, B'klyn

Brooklyn, April 12.

RKO Albee with 'Rebecca of Sunnybrook Farm' is slightly ahead over other downtown deluxers this week. Picture fare at Fabian Par is 'Jezebel,' winding up second stanza to good results, and Loew's Met doing nicely with 'Merrily We Live.'

**Estimates for This Week**

**Albee** (3,274; 25-40)—'Rebecca of Sunnybrook Farm' (20th) and 'Moto's Gamble' (20th). Will do nice $16,500. Last week, 'Radio City Revels' (RKO) and 'Walking Down Broadway' (20th) pulled oke $15,500.

**Fox** (4,089; 25-40)—'Start Cheering' (Col) and 'Tip-off Girls' (Par). Looks a mild $11,500. Last week, 'Penitentiary' (Col) and 'Romance in the 'Dark' (Par) did good $15,000.

**Met** (3,618; 25-50)—'Merrily We Live' (M-G) and 'Crime of Dr. Hallet' (U). Oke $15,000 expected. Last week, 'Goldwyn Follies' (UA) and 'Squadron of Honor' (Col), swell $18,000.

**Paramount** (4,124; 25-50)—'Jezebel' (WB) and 'He Couldn't Say No' (WB). (2d week). Will do satisfactory $15,000. Last week, same pair brought in splendid $21,000.

**Strand** (2,070; 25-40)—'When G-Men Step In' (Col) and 'Shadows of the Orient' (Mono), plus weekend vaude, will do passable $8,000. Last week, 'Drummond's Peril' (Par) and 'When G-Men Step in' (Col), plus vaude produced oke $8,000.

# Lord on 'Rat' Locale

Hollywood, April 12.

Robert Lord, Warners producer, is en route to Staunton, Va., where he will make preliminary arrangements for the filming of 'Brother Rat' exteriors at Virginia Military Institute. William Keighley will direct, with Wayne Morris in the featured role.

Troupe will east it at the end of this mont

# DETROIT DULL

### Just Vampin' Past Holy Week— r. Syn' Fair $16,000

troit, April 12.

uffeted by a 36-hour trolley strike, which tossed last week's final day grosses into ash heap, local spots are faring even worse during Holy Week despite encouraging gain in auto production.

Product is the usual pre-Easter stuff, with no standout.

**Estimates for This Week**

**Adams** (Balaban) (1,700; 30-40)— 'Old Chicago' (20th) (re-run) plus 'Who Killed Gail Preston?' (Col), dual. Former opus moved here after two sessions at the Fox; expects $4,3 , okay in view of things. Last stanza normal $5,000 for 'Start Cheering' (Col) plus 'Island in Sky' (Col).

**Fox** (Indie) (5,000; 30-40-65)—'Dr. Syn' (GB) and vaude. Arliss getting the older folks, but only so-so $16,000 coming up. Last week $18,000 for second session of 'Chicago' (20th), following bangup $30,000 first stanza.

**Madison** (United Detroit) (2,000; 30-40-65)—'Snow White' (RKO), (5th week). Satisfactory $5,600 in view of week, and fact it's seventh session for flicker, counting two day-daters at UA. Last week about $7,500, okay.

**Michigan** (UD) (4,000; 30-40-65)— 'Hawaii Calls' (RKO) and stage show. Only $11,500, ild, due, following fine $25,000 last week for 'Jezebel' (WB) and Bowes unit on stage.

**Palms-State** (UD) (3,000; 30-40-50)—'Jezebel' (WB) (re-run) plus 'Crashing Hollywood' (RKO), dual: Tepid $6,000 in prospect. Last week slightly better at $6,300 for 'Kid Comes Back' (WB) and 'Breakfast for Two' (RKO).

**United Artists** (UD) (2,000; 30-40-65)—'Merrily We Live' (MG) (2d week). Held over, but not on strength of its first week's showing at $6,000, bad. Figures to get under that amount currently.

# *Cuffo Society*

(Continued from page 1)

come-on for Joe Mugg whose only social rating is his checkbook. It's a cheap form of exploitation indeed for the cafe hosts, because the exhibitionistic Park avenooers lend atmosphere, while the guys whose only social registration is a Social Security card are the ones who account for the dividends.

**How It's Done**

loods get the most attention, the best tables and the smallest checks—almost non-existent, in fact, what with the custom of either billing the more sensitive ones for a coupla drinks, and then sending over a magnum or a jerabaum of Something '26 or '28, for free.

Muggs take the rap for the couvert and all the advertised minimum tariffs. Such an 'outsider' pays the freight, starting with the chasseur at the door, the headwaiter at the inside tape, the captains, and so on down the line.

With the recent extra newspaper and magazine emphasis on the so-called cafe society, the debs and the young bloods of Good (to print) Family—plus, of course, the usual sprinkling of Broadway, Hollywood and radio personalities—are the ones who enjoy the hosts' hospitality, which may range from f.f. (for free) or maison (on-the-house) checks. Or, the courtesy, more often, is matching bottle-for-bottle on the vintage, etc. [Latter is a switch on the Paris custom of 25-50% off from the regular wine card if you're w.k. to the management.]

And, of course, every spot has an elastic couvert charge. One class spot advertises a $2 couvert, which is slapped on for 'undesirables'—that is, those whom the managements would discourage coming back again—whereas the same joint will advertise in the college papers, 'No couvert to Williams men,' etc. That's as a means to woo the collegiates, for whom they make a play, not because of their custom, but because of a peculiar managerial slant.

Captains and waiters who only know if their tips add up are the first to tell you that the show bunch and t e average customer is the best tipper: most appreciative, material , of service, etc. Socialite is impossible generally speaking, and pays off niggardly if at all for services. Their attitude is that the place is su ciently compensated with their presence, and make no bones about it.

**Welcome but Not Popular**

But since they're 'good copy' for the house, the managements and the staffs are perforce circu spect indeed in their humble servitude to an element which, sans their social standing, might well find themselves sitting in the 'left field' or 'monkey' corners of the same niteries. These are the invisible, but nonetheless well-defined lines of demarcation that distinguish the initiate from the auslanders.

Evolution of the Broadway, the society and kindred type gossip columns has made every one of these a house-organ for the nitery managers. Gratuitous mentions and candid cameraings of socialites and celebs, in connection with this or that joint constitute a form of free advertising which the niteries could never purchase. But, tied in with a wise-crack, it's cinch copy for the columnists. For the spots, it's the best kind of an ad.

**Statistical Guesses**

It is estimated that 100,000 to 300,000 constitute the drawing population of New York's night life. That takes in a host of spots, from sandwich joints and dumps (for slumming parties) to the fashionable east side cafes. Considering New York's 8,000,000 population, and a drawing pop. up to 15,000,000—taking in the Jersey, Pennsy and Connecticut suburban potentials, plus the countless transients, who are an important element in the Big Burg's pleasure bill—that's an infinitesimal percentage to be spread over the large assortment of cafes, pubs, hotels, restaurants, eateries and niteries eager to catch the bucks.

Yet, despite this, the class catering to the pseudo-uppercrust 4,000—or at least the 'desirable' element—must perforce be discriminating. 'Face' value has long been a passport in public places, and particularly in the class cafes and restaurants, for obvious reasons.

It started with an old tradition of 'dressing the ringside,' meaning that parties in formal evening clothes give the room a tonier air. With prohibition, the class speaks exercised an open-sesame privilege only to a known clientele. ith repeal and the open-doors, the cafe society thing asserted itself in full blast, either through shunting the unwanted into corners or upstairs, whenever it proved indelicate to turn 'em away altogether, on one subterfuge or another.

A standard out with class spot headwaiters, even when the room may be yawning with wide open spaces, is that 'we have a lot of reservations; the people haven't arrived yet.' And who's to disprove it?

Bar is still the capital of many a spot, a post-prohibition heritage nothing can seemingly change, and tables in that vicinity are usually the most desirable; viz., such as at Jack and Charlie's 21:

But these mundane distinctions and b. o. touches are something the cafe socialite cares nought about. He's on the cuff almost from the barrier, deeming a cordial nod to the mai adequate largesse for hi tion to the eveni

# Inside Stuff—Pictures

Indie producers making a picture around an historical figure ran out of coin, needing $5,000 to complete it. Another producer said he would be willing to advance the 5G provided he got back the first 15G the picture grossed. Deal looked okay and was ready for signing when actors, carpenters and grips stepped in and said no dice. Among them they were owed $14,000 in salaries and insisted that theirs would be the first money or there would be no completed picture.

Both the talent and the new backer figured the picture would not make more than $15,000, so each wanted his piece first. Whole deal, as a result, has been stymi and picture now never will be completed, though it may be sold to Warners, which is working on a similar subject, just for the nuisance value.

A Pittsburgh newspaper, as well as WB publicity department there, have little use these days for a film actor who recently played a p.a. at the Stanley theatre. House has a tie-up with Morning Post-Gazette's weekly picture advertising page for which people personalling at theatre pose for product of any given advertiser. All in past cooperated for publicity value and good-will and think little of the endorsements since they're strictly local. Player in question was asked to do a shoe ad. He said he'd think it over for a day and then agreed if they'd give him, not a sum of cash, but a free pair of shoes. He'd probably have been presented with a couple of pair anyway, but paper and theatre execs were so mad at his pettiness that they told him his help wouldn't be necessary, and went out and got themselves another boy.

Stephen Watts, film critic of the London Sunday Express, has edited a 'Behind the Screen' volume (Dodge; $2.50, published in England) which is dedicated to Norma Shearer Thalberg and is virtually a house organ for Metro. Sam Eckman, Jr., M-G's British les head, arranged Watts' reception by the Metro organization in America.

Besides the edi r's flock of thanks and cr its to the Metro bunch, the following M-G personalities contributed chapters dealing with their own phases of film production: Hunt Stromberg, George Cukor, Frances Marion, Cedric Gibbons, Adrian, Billy Grady, Jack Dawn (makeup), Leslie Howard and Lionel Barrymore, two chapters on acting: Lee Garmes, Natalie M. Kalmus, Douglas Shearer, Herbert Stothart, Margaret Booth (cutter), Howard Dietz (public relations) and Eckman on distribution. Hugh Walpole did the foreword.

Two distinct moves last week marked Paramount's conversion program, which was started to secure conversion from common to first preferred but which recently has bogged own. One was that only common and second preferred were listed as additions to outstanding shares reported to the New York stock exchange. The other was that heavy demand for the first preferred was indicated by a spurt of 11½ points in Monday's (11) trading.

This pushed the fir been in a number of wee in other stocks.

Pathe Film Corp., in its annual statement issued last week, referred to construction of new downtown film printing laboratory to be located the same building on West 45th Street that it formerly occupied. Plant will be opened May 1. It will take care of newsreel printing that cannot be handled efficiently at Bound Brook, N. J., lab. Exploratory activiti of company include study of equipment in microfilm field, which covers reproduction of documents, records, newspapers, etc., on picture fil

Looks like Paul Moss, former screen writer at WB, has a real middleweight prospect in Billy Soose, intercollegiate champion, part of whose contract Moss has disposed of to Dick Powell. Soose went to the Coast for his pro debut two months ago and has run up an impressive kayo string there, with L. A. sports writers and film crowd going for him in a big way. Soose hails from Farrell, Pa., which is also Moss' home town, and won the 160-pound college title while a student at Penn State.

Officials from foreign press departments of major companies huddled last week at the Hays office to go over accredited newspaper correspondents' list. This is the second effort made to bring list up to date. Kenneth Clark, head of Hays office publicity, presided at the meeting. Unofficial discussion included the matter of trying to figure out a more impartial method of reviewing in many Latin-American countries.

Muddled thinking of Hollywood at present and jittery state of studio heads is best illustrated by two conflicting stories from one stu io last week. Head of the studio at a secret banquet raised $28,000 to send to Jews in Austria, while a director from his studio was appealing to the Anti-Nazi League for relief from persecution around the lot for his pronounced anti-Nazi views.

'To the Victor,' United Artists' release currently at the Continental, N. Y., was produced in England under the tag 'Owd Bob,' starring Will Fyffe, and was reviewed in VARIETY Feb. 2 under the latter title.

# GUILDS DEEP IN CONFABS

## ACTORS, AGENTS, WRITERS, ET AL.

### SAG to Meet wit roducers' Committee Representing 9 Companies—Screen Playwrights Deny SWG Merger—Flacks, 10%ers, TA and IATSE Matters in Current Coast Huddles

### APRIL 19TH MEETING

Hollywood, April 12.

First huddle between producers nd Screen Actors Guild negotiators on mendments to the present Guild shop contracts is scheduled for Tuesday (19). Demands of stars and contract players for improved working conditions wilt be taken up first, to be followed by consideration of problems of freelance and day players. Requests of extras will require several sessions.

Edward J. Manni general manager of Metro studio, will direct negotiations for the producers. Other members of annix committee are B B. Kahane, RKO-Radio; Scott R. Dunlap, onogram; Danny O'Shea, Selznick-International, Hal Roach, and Henry Herzbrun and Herbert B. Freston, attorneys.

Irving Pichel will replace Franchot Tone on Guild negotiating committee. Tone, who has been before camer almost continuously for weeks, did not have sufficient time to devote to the work. Laurence W. eilenson and John Dale, Jr., Guild attorneys, have been added to the SAG negotiating body. Other members are Robert Montgomery, Guild resident; Kenneth Thomson, executive secretary; Murray Kinnell and Aubrey Blair, executive secretary of Junior Cou

Producer committee has been authorized to handle all phases of negotiations rather than appoint separate committees as provided in basic mini um wage agreement.

**Rep for 19 Companies**

Producer committee has been authorized to represent only 19 companies, but others of 70 signatories to Guild shop contracts probably will come in before negotiations actually get under way. Companies that have already authorized negotiations are Columbia, Samuel Goldwyn, Grand National, Harold Lloyd, Major Pictures, Metro, Monogram, Paramount, Principal Pictures, RKO-Radio, Republic, Hal Roach, Selznick-International, 20th-Fox, Universal, Walter Wanger, Warners and Harry Sherman.

While negotiating committees may suggest modifications of present working pact, in event of failure to agree on any of them, either committee may demand arbitration only n following subjects:

inimum salaries for extras, day players, stunt men and stock players.

Hours of labor for actors receiving $500 a week or under. This includes actors employed by the day receiving $83.33 per day or under.

Claim of Clarence Kolb against Paramount for $3,000 salary because he was recalled for an added scene in 'Wells Fargo' one month after completing role, has been disallowed by an arbitration board representing the producers and Screen Actors Guild. Arbitrators ruled player was entitled only to day's work for which he was recalled.

Guild asked for arbitration on contention Kolb was recalled after he had been closed out, but while picture still was in production. SAG claimed this was actually a lengthening of Kolb's role, and that therefore he was entitled to continuous pay from the time he was closed out until he was recalled for the added scene.

Henry Herzbrun, representing aramount, insisted work for which actor was recalled had been planned and was written after Kolb had been dismissed. Studi insisted work was actually an added scene even though picture still was shooting.

**Clause Called Ambiguous**

Arbitrators pointed out that Kolb had not suffered any financial loss since he had worked at another studio during the period before he was recalled. Board, however, said Guild shop contract clause on added scenes was ambiguous and failed to give a clear definition of what constituted an added scene. Arbitrators suggested situation be clarified during coming negotiators between the actors and the producers.

Arbitration board was composed of Edward Arnold, Seton I. Miller and James Normanly.

Theatre Authority, which has been operating in New York for five years, has been extended to the West Coast. Following inking of contracts with the Screen Actors Guild, Screen Directors Guild and Screen Writers Guild, I. B.—Kornblum, TA representative on Coast, announced all benefit shows must sign TA contract in order to secure appearance of actors, directors or writers. Sponsors of benefits must agree to turn over 15% of receipts to be expended on Coast for actor charities. When take exceeds $15,000, TA percentage drops to 10%.

E. A. Fitzgerald, Coast conciliator for the U. S. Department of Labor, said he had arranged with Alice Brady for actress to donate $1,000 to Actors Equity fund for needy actors. He said this would pave way for her reinstatement in Equity and would remove any obstacle to her becoming a member of the Screen Actors Guild.

Miss Brady was suspended by Equity for assertedly ignoring its instructions that she apply for membership in the SAG. She had previously been assessed $1,000 when Equity had to pay that amount to a publishing house which had lost a $1,000 judgment to actress for unauthorized use of her photo.

**Agents Band Against Raids**

Following charges of smaller agents that members of Artists Managers Guild have been rai ing their clients, movement was started here for second organization of agents. Jack Bachman presided at initial session. Others present were Morte Gutterman, illiam Stephens, Sid Schlager, Ira Platke, Gene Mann, James Stanley, Sam Armstrong and Paul Brandeis.

John Lee Mahin, president of Screen Playwrights, Inc., in a statement to membership, denied that any amalgamation with the Screen Writers Guild is contemplated. He said even if National Labor Relations Board rules against the Playwrights and orders an election of writers to select a bargai ing representative, the SP will appeal the decision to federal courts.

Mahin said the Playwrights, having a contract with the producers, are now in a position to handle the problem of screen writers, and asked for suggestions from writers outside the SP that would tend to improve the position of scribblers. In asking for suggestions, Mahin wrote:

'I may say for your board—that if any Hollywood writer, regardless of whether he is or is not a member of the Screen Playwrights, Inc., chooses to forward to the board any suggestions designed to improve the position of all motion picture writers the board will welcome such advice and will act upon suggesti ns of practical value.'

Mass meeting of Screen Publicists Guild is scheduled for Thursday (14). Flacks have been unsuccessful in negotiating a working ct with the producers, and have been casting about for support of stronger studio organizations.

Conference of independent film guilds and technical organizations will be held at Sunset Arbor tomorrow night (Wednesday) to discuss lans to present a united front in event International Alliance of Theatrical Stage Employes attempts to extend its jurisdicti entir ilm industry. Huddle was sug sted by the Screen Writers Guil Dudley Nichols, SWG president, ill preside.

creen Actors Guild has turned thumbs down on session but several other crafts will send unofficial observers.

## Kieffer Leadi

Hollywood, April 12.

Major Philip Kieffer is understood holding a strong lead for presidency of Junior Screen Actors Guild.

Election was held April 10, but final count is not expected before another day, due to many disqualifications because of improperly marked ballots.

## Patterson's Par Triple

Hollywood, April 12.

Paramount has set Russell Patterson to devise sets and costumes for three more productions; 'Give Me a Sailor,' 'St. Louis Blues' and 'Artists and Models.' Jeff Lazarus will duce 'Sailor' and 'Blues,' with Ar ur Hornblow, Jr., guiding 'Artists.'

Patterson has just completed si ilar assignments on the same company's 'College Swing' nd 'Tropic Holiday.'

## DISNEY IN CHI BREAKS DUALS SITUATION

Chicago, April 12.

First break in the double features situation which has gripped the neighborhoods i is town for the past two years occurs April 29 when 'Snow White' (RKO) will be released for nabe exhibition. Cartoon booking explicitly tabus doubli

This was agreed to even Balaban & Katz, which has been the prime exhibition factor in the start of double bills and their continued existence in this territory. Also single-billing the Disney cartoon will be the Warner circuit, which has never been completely sold on doubles in this town.

**inneapolis Showdown**

Minneapolis, April 12.

L. E. Goldhammer, local RKO branch manager, has served an ultimatum on Twin City independent exhi itors, stri ing unofficially and individually against the 'Snow White' 50-50 percentage terms that, because of their 'unfairness,' they'll either play the Disney classic at the straight half-and-half split or they won't get the picture. The Goldhammer ultimatum, widening the breach which has resulted from the 'Snow White' demand, followed a mass meeting of 35 Minneapolis and St. Paul inde ndent exhibitors at w ich the theatre owners declared they'll stand fast and 'hold out for a 'Snow White' deal on which we can make money.'

'Unfairness' to which Goldhammer refers was the virtual mass rejection by the exhibitors of an offer to let them have 'Snow White' at the same terms which RKO claims the Minnesota Amus. Co. (Paramount) has met—40% split for RKO to the control figure and 60% thereafter. At the independents' meeting, however, it was claimed that the circuit deal calls for only 35% to RKO up to the control figure and 60% after that figure has been reached. In addition, the attitude expressed was that even though the independents received the same terms as the Paramount circuit they'd not be getting as good a deal as they should obtain because 'everybody knows the circuit receives an adjustment on its various deals.'

The Twin City independents' rebellion also extends against 'Birth of a Baby' for which a 40% split is being asked in the Minneapolis and St. Paul independent neighborhood spots. At the mass meeting the independents declared they'd continue to hold out against the 'Baby' demands. However, it's known that several important Twin City independents have made deals for 'Baby' at 40%. And outside of the Twin Cities, roughout the territory, both 'Snow hite' and 'Birth of a Baby' have been heavily bought on th 50% split.

## Exploiteer Decries 'Glorified Janitors' Status of Theatre Mgrs. Under Rubber-Stamp Cham Op.

### By Al Seli

*ilm exploitation man and former picture company and publicit director, who reports these findin on static theatre management lesser key cities).*

Anyone with the slightest knowledge of the motion picture business has tried to give reasons as to why picture grosses have nosedived. They have given all sorts of ali is, looking at conditions from the interior of walnut-paneled offices, while swinging back and forth on their richly upholstered swivel chairs—but still grosses are below average.

There is only one way to find out just what is the matter with theatre grosses: go out into the hinterland and get the real lowdown from managers, newspaper editors—and the public—and what one discovers is a pretty good lindex.

It is inconceivable that there are still today managers for the chai houses who are just glorified janitors. This is not casting any aspersions on the managers who, as a whole, are trying to carry out the orders that are sent them by their home offices. They simply cannot use their own initiative in getting behind a picture, and try to increase their grosses. Most of them have a stated budget, no matter what the picture is they are playing, and if a picture does come along that isn't so hot, but could be needled with some inexpensive exploitation, he is absolutely helpless to proceed unless he gets the okay from either the district manager or the home office. Consequently, the average manager takes the line of least resistance—sits back, and lets the picture com in cold.

**No Incentive**

It is a disease called 'Inerti There is not the slightest desire on the part of managers to bestir themselves in really going after picture exploitation. They have no incentive to go out of their daily routine. Their attitude is 'What's-the-use?' and therei lies the root of box-office decline—not so much the pictures that haven't been so forte, but the manager's total disregard to that fundamental of the entertainment field, 'showmanship.'

Exploitation and publicity is the life blood of picture business. The managers of the big chain houses really have excellent opportunity to put over almost any picture that is booked. The manager knows everyone in town; he calls them by their first name; he is in a position to pull wires that will aid him in any exploitation scheme he has in mind, but again he says, 'what's the use?'

An outstanding example of what exploitation and publicity can amount to is the splendid campaign that Walt Disney and RKO put over on 'Snow White.' Although this picture has received unlimited publicity of an extraordinarly calibre, S. Barrett McCormick sent out more than 20 high-powered exploitation men to follow up the nation-wide publicity the picture had received before the release. The result staggers the imagination. The men, with the help of many of the managers, ran riot with exploitati , publicity and tie-u ith the result that has made picture history. Disney and RKO

(Continued on page 24)

## Crooks Visit Crookers

The Herbert Crookers were robbed of jewelry which wasn't insured when burglars broke int their New York apartment Saturday night (9) and escaped before being detected. Jewelry consisted of diamonds which had been left at hom while the Crookers went to the circus.

Crooker is a publicity executive at Warner ros. His wife is Delight Evans, fan mag writer.

## Reported Par-Baer Merger in NW Would Solve Price-Cut War

inneapolis, April 12.

Spread of the admission price cutting and double featuring war, which has broken out in a few spots in the territory, was averted when theatre owners from six innesota and North Dakota towns, ting here, decided not to take reprisal measures, for the present at least, against the Baer Bros., their competitors, who have been double-featuring first runs in most of the situations for a dime and 15c nd who are charged with being sponsible for the threatened disruption of the exhibition end of the industry in this neck of the woods.

The exhibitors decided they wouldn't change their policies at this time by reduci their admission scales or employing dual bills to a greater extent. Action also was deferred on a proposal to pool resources to build an opposition theatre in Thief River Falls, inn., where the Baers now operate the only two showhouses. Meetings will be held from time to time and the exhibitors will work together 'defensively' to further their interests. Belief was expressed that the Baers 'soon will tire of footing losses and will wear themselves out by their unsound business practices.'

A solution to the problem will be afforded if the Minnesota Amusement Co. (Paramount) takes over the Baer circuit. Negotiaions toward this end now are said to be under way, although confirmati n of the report is lacking from either side.

## U. S. NOW FAVORS CO-OP ON 'SERVICE' FILMS

Hollywood, April 12.

The Government is showing a more friendly attitude toward pictures since the big naval appropriations, and a closer cooperation is pledged to pictures built around the military arms of service.

About-face came after Army and Navy cooperation a short time ago was withdrawn. But Washington now is trying to win over picture-goers to need of adequate defense and present the U. S. show of strength.

## 'Darling's' Three Leads

Hollywood, April 12.

Judy Garland, Billie Burke and Mickey Rooney have been cast for featured roles in Metro's 'Listen, Darling,' from Katherine Brush's mag story.

Jack Cummings will produce.

## 'MY BILL' REMAKE

Hollywo , April 12.

'My Bill,' which Warners is filming with Kay Francis and Dickie Moore in the featured roles, is a remake of 'Courage,' which the studio produced in 1931.

As a Broadway legiter, it was presented by Lew Cantor at the Ritz N. Y., with Janet Beecher in in the to roles.

## Relief Fund's Quarter

Hollywood, April 12.

Motion Picture Relief fund disbursements for the first three months of this year totalled $61,083.

Income for the period was

## CAROL LLOYD'S REPUBLICER

Hollywood, April 12.

Carol Lloyd, New York l comedienne, has been signed by Republic o a one-picture deal.

o assignment has yet been made.

# Films Council Makeup Now Chief British Quota Question; U. S. Plans

London, April 12.

Chief interest in Great Britai 's new quota law now is centered in the formation of the films council provided in latest statute. Because 11 of the 21 members of this council are supposed to be independents from outside the picture business, the British industry is naturally interested in securing strongest possible representation in the remaining 10 post

Besides the 11 indie members, four from exhibitor ranks, two from the ilish film producing field and an equal number from both the distributors and employees (labor ranks) round out the council. This body is intended to figure importantly in the execution of the quota act and possibly make recommendations for changes when the law comes up for revision.

Foy Allport, uropean representative of the Motion Picture Producers & Distributors of America, is staying here until the council is formed and other details are ironed out. Official text of the quota act is due out any day now.

hile a number of American companies may try supervising or doing actual production of bigger pictures needed for quota purposes in England, at least three major companies and several independents are planning to fill requirements by purchasing films from British producing outfits. Idea is to learn how the quota law will work in actual practice before venturing on any tensive scale production in London.

Majority of U. S. distributors also will go for a fairly expensive picture under the quota stipulation of two-for-one or three-for-one, thereby gai ing the extra credits and building possibility of a real box-office film. They do not think that minimum-cost films will mean much in the American mart.

## Italy Spent $31,500,000 For Entertainment in '36; Films Most, $22,000,000

Rome, April 3.

Italians spent nearly $31,500,000 on entertainment in 1936, a book on entertainment statistics just published by the Italian Society of Authors and Publishers reveals. Of this sum roughly $22,000,000 were spent by filmgoers; a little over $4,500,000 were spent by theatregoers; $1,300,000 were spent on admissions to various kinds of sport events, and about $3,500,000 were for types of entertainment classified as miscellaneous.

While picture-goers, whose spendings present much the biggest item on the entertainment budget, spent much more on seeing foreign films than on Italian ones, Italian productions claimed the greater part of Italian theatregoers' money. Statistics on legit stage intake showed that plays by Italian authors accounted for somewhat over $1,000,000 on theatres' earnings; French plays brought in about $280,000; Hungarian plays about $125,000; English plays about $23,000; Greek plays—the outdoor performances of classic Greek drama—accounted for $15,000; American plays came next with $13,500. There followed in turn Austrian plays, German plays, Spanish, Russian, and finally Norwegian plays—which last accounted for about $120 of the Italian theatre's income.

Statistics show an enormous increase in the proportion of national entertainment allowance spent on films; in 1925 the amount spent by Italians on films and on legit performances were about even; in 1936 cinemas took in four and a half times as much as theatres.

Even more stri ing are the entertainment spending statistics when examined in proportion to population. Expenditure on entertainment per head in Italy was only 73c. in 1936—slightly less than the amount spent on coffee. These low figures for entertainment spending are partly due to the numerous tiny villages that have no kind of shows at all. But even in ilan, the Italian city where money is spent most freely, the per capita amount spent on entertainment was only $4 in 1936.

Italion Society of Authors and Publishers plans to get out a atistical review of this sort every yea

## Mex Seeks Aid

Mexico City, April 12.

Mexico's making wide and efficacious use of pictures and radio in its intensive campaign to rally support for the administration in acute situations that have developed from expropriation of the oil companies and Washington's ceasing to purchase Mexican silver.

Three-minute visual iels are flashed on the screen at every cinema. Government and other speakers are using the radio to good effect.

## Magyar Dilemma Over Anschluss' Effect on Amus.

, April 3.

Though it is impossible to estimate the eventual outcome of the Anschluss i is country, proxi ity of this nation to Austri is expected to produce of uncertainty ile: It's lifficult to tell whether the official ill veer toward the Nazis there is hot Everythi about the same as before February.

The state-subsidized theatres are mildly, but not officially, 'Aryan.' They are far from being exclusively so. No restrictions exist in privately owned and operated theatres, the publishing business, music field and the like.

Feature films calculated for German export comply with the 'Aryan' requirements, but those not designed for the Nazi market continue to be made in keeping with ordinary production requirements.

To a certain extent what is true of Hungary also is true of Central European countries generally.

Because there has been no rigid clamping down to carry out Germanic ideas on film making, some of the independent picture producing, centered in the past in Vienna, probably will locate in Budapest. As to the remainder of the show business, it is a little early to tell whether most of it will come to Hungary or be divided up among Czechoslovaki Poland and other countries surrounding Austria.

What may turn out to be the prelude to falling in line with Nazi Germany ideas was the big speech by a high government official shortly before the Austrian shift. In this, he hinted that Christian Hungarians should be given a better break, though giving no definite ideas on how to handle the 'Aryan' question.

## 2 More Passion Plays In Europe This Summer

Paris, April 4.

Passion plays have struck Europe by storm. Two more of them have come into existence this year. Lucerne Passion Play Assn., which began its existence in 1470, will again start producing this summer. Although it has been years since the association has put on a show it has rem ined organized. It is 160 years older than the Oberammergau organizati

Play will be produced three nights weekly from July 9 until September 11 on the Hofkirche Square. Complete details of the Middle Ages production are in the municipal archives where they have been kept as unique documents on the early European theatre.

Other Passion Play will be presented by a group of workmen in the Paris suburb of Menilmontant. lay is modeled after the German production and the proceeds will go to a children's charity fund. In addition to the two new plays the Paris edition, 'Le Vrai Mistere de la Passion,' will again be presented this summer on the parvis of Notre Dame Cathedral.

## Viennese in London

London, April 12.

Notable Austrian personalities now in London include Oscar Homolka, Lizzi Bergner, Berthold Viertel, Greta Keller, Fritzi Mas Josef Schmidt and Vicki Lister.

Most of them have been here before the Anschluss.

## MARGON OUT AS COL'S B.A. MGR.

Apri

Clar Margon, Columbia ictures general manager in Argentina, has been called to the New York office and now is on is way to U. S. Louis Goldstei , Brazil manager, i meantime has come on from Rio de Janeiro to take charge of the Buenos Aires office. No new manager picked for Rio as yet.

argon left here ostensibly to confer ith Joseph McConville, Columbia's foreign sales chief, as to the feasibility of making a survey of the company's Latin-American business. Not ex cted back before the end of 1938.

Reported in New York that Margon is definitely out of Columbia, and may join Universal. Understood also that a shift in the job of Mexico manager and possibly in a couple of other countries has been decided on or is in the making at Columbi , in line with the new management since Joe Seidelman left to become Universal's foreign chief.

## 'HURRICANE,' 'TOVARICH' PACE COPENHAGEN PICTS

Copenhagen, April 3.

Danis , ish pictures have had a fine inning the last few weeks, but still 'Hurricane' (UA) and 'Tovarich' (WB) continue big. 'Hurricane' is in its eighth week at the Scala-Bio and has set new b.o. records at the provincial cinemas. 'Tovarich,' at the new Palladium, is in its fifth week with sellout houses nearly every night.

'Firefly' (Metro) got a good reception at ino-Palæst. 'The Devil Is a Sissy' (Metro) and 'Stand-In' (UA) got fine notices, but b.o. slow, regardless. Lasted only one week each. 'Madame (Metro) failed badly at small Kinografen, where it only ran for four days.

## Japs Honor Puccini

Tokyo, March 29.

Although many Japs have frequently objected to the theme of Puccini's 'Madame Butterfly,' a movement is on foot here to erect a monument to the composer, at Nagasaki, the locale of the piece.

Undoubtedly the current visit of the Italian goodwill mission had something to do with the movement.

## 'Snow White' in Rome

Rome, ril 3.

Roy Disney made Rome one of his first stops on his tour of European film centers to arrange for dubbing of 'Snow White' (RKO).

Film probably won't be ready for release here until autumn, but papers and film reviews have already shown great interest.

## Current London Plays

lien Opened)

'Whiteoaks'—April 14, '36.
'French Without Tears'—Nov. 6.
'Balalaika'—Dec. 22.
'George and Margaret'—Feb. 25.
'Black Limelight'—April 22.
'Housemaster'—June 29.
'St. Moritz'—July [illegible]
'London Rhapsody'—Sept.
'Going Greek'—Sept. 16.
'Hide and Seek'—Oct. 14.
'Robert's Wife'—Nov. 23.
'I Killed the Count'—Dec. 10.
'Me and My Girl'—Dec. 16.
'Nine Sharp'—Jan. 26.
'The Three Sisters'—Jan. 2
'The Island'—Feb. 10.
'Road to Gandahar'—March [illegible]
'Death on the Table'—March [illegible]
'Plan for a Hostess'—March 10
'Operette'—March 16.
'Toss of a Coin'—March 17.
'Idiot's Delight'—March 22.
'Floodtide'—March 23.
'Zeal of Thy House'—March [illegible]
'Power and Glory'—April 8.
'Ghost for Sale'—April 9.

## Biver's N. Y. Business

Charles , of France-Amerique Films, currently in New York, has contacted the Hays office and supplied a list of educational pictures that might be suitable for its program of appraised subjects.

A number of pictures are being set by Biver with French Motion icture Co., for U. S. distribution, including 'Freedom in Maisong,' w ich Abel Gance dir ted; 'Angele,' and 'Keep Smiling,' lth Maurice Chevalier.

## GUT-Hoyts Swap Product-Houses; Burgess to Nat'l

Sydney, March 22.

Greater Union obtains added product from Hoyts as the result of a deal whereby Hoyts will obtain two theatres, in Launceston, Tasmani , from G.U.T. Understood that Hoyts suggested the same idea sometime ago, but reater Union turned it down.

Pressure was applied, according to report here, through National Theatres, the Snider-Dean affiliate. Threats to build new theatres and undersell G.U.T. at the box office are understood to have brought about the deal.

In the meantime, S. W. Burgess, formerly Tasmanian chief for G.U.T., has resigned to join National.

## Buenos Aires Season Starts; Biz Upswing

Buenos Aires, April 5.

Although the season is just beginning, business is alright in this city. Stage companies are making their season's start and sometimes there are several premieres the same evening, drawing trade from the film houses. Nevertheless, 'Emile Zola' (WB) is now in its sixth week after a switch from the Ideal to the Ambassador at the end of the fourth. Looks like one of the best grossers of this season and is still building.

Another holdover which did well is 'Angel' (Par). 'Victoria the Great' (RKO) at the Ideal was not so big as expected but quite good, while the same went for 'Heidi' (20th) at the Opera. Both films were expected to holdover, but didn't. 'Conquest' (M-G) is opening today at the Ideal for a two, maybe three weeks' first run.

Other pictures which had their start recently include '45 Fathers' (20th) and 'Big Town Girl' (20th) on double bill at the Suipacha, 'True Confession' (Par) at the Opera, 'Way Out West' (M-G) at the Rex, 'La Ley que olvidaron' (Forgotten Law') (Argentine) at the Monumental.

This means that with the exception of the now usual weekly native release, all B.A. first run houses are showing Yankee films.

## Tumminia's Rome Pic

Rome, April 12.

Josephine Tumminia, San Francisco opera company soprano, has been signed for the role of Gelda in 'Rigoletto,' to be filmed at Cinema City here.

Jeanie Macpherson, Hollywood scenarist, will produce, with Charles Brabi irecting.

## 'George-Margaret' in B.A.

uenos Aires, April 6.

Buenos Aires Comedy Co., the only English ensemble in this country, is staging Gerrard Savory's 'George and Margaret' at the Little theatre.

Opening night is fixed for April 13. Cecile Lezard and Emily Hogan head the cast.

## Tourists Swell Show Biz in Cairo; Night Clubs, U. S. Pictures Do Big

Cairo, April 1.

Tourist trade has boosted show biz to record proportions here.

Local niteries are doi the Semiramis, olis Palace, Victori , rove Club, Kit Kat and Pavlova notably in the dough. Casino Badi sabni, Casino Ratiba and Insaf, Casino Beba, the Piccadilly, the Casino Globe, Galety, Dolls are hittin at a new high.

Buddy and Sis Roberts, New York hoofers, opened at the Kit Kat a few nights ago with a fast little number, and clicked. Serge Glykson and his Swing Band, Harry Reso, Pierr trer, aided by Hekmet Fahmy, are at the Continental. Nora Johnson and Marika Bessy, at the Gaiety, are not a bad setup. Louise Fordham is the only American working at the Dolls.

Lot of expert amateurs piled up coin pith a perf of 'The Vagabond King' at the Royal Opera house, and Pianist Ni lal Orloff giving successful r itals at the Ewart Memorial Hall of the American University.

lykson, one of the few first-class jazz swingers in the country, here to stay. His bunch includes Belgians and Frenchies. At Groppi's Rotunda there's a third-rate orchestra from Budapest, assisted by Tibor Gray and his Mondial Boys. Club Quintet is at the Gaiety. cadilly cabaret's orchestra is the only gang in Egypt with a pure Egyptian as member. Lad plays tenor sax and is colored.

Pictures in Cairo include 'Danger—Love at Work' (20th), at the Diana; 'Desire' (Metro) at the Kursaal; 'The Buccaneer' (Par) at the Royal; 'Dreaming Lips' (UA) at the Regal; 'Ali Baba Goes to Town' (20th) at the Metropole; She Couldn't Take It' (Col) at the Triomphe; 'On the Avenue' (20th), and 'Wings of the Morning' (20th) at the Miami; 'C'est Mon Caractere' (French made) at the Cosmo; '100 Men and a Girl' ((U) at La Poriniere; 'Romeo and Juliet' (Metro) at the Femina; 'Murder in the Fleet' (20th) at the Roxy.

Pictures in Alexandria include 'Gribouille' (French made) at the Mohammed Aly; 'The Prisoner of Zenda' (UA) at the Royal; 'Sa Quentin' (WB) and 'The Singing Marine' (WB) at the Rio; 'The Man Who Changed His Mind' and 'White Legion' (GN) at the Maj tic; 'Live, Love and Learn' (Metro) at the Rialto; 'Forfaiture' (French made) at the Ri ; 'Maytime' (Metro) and 'San Quentin' (WB) at the Strand.

## South American Tours For Two Italian Legits

Rome, April 3.

Italian actors are developing a fondness for South American tours. Anton Giulio Bragalia, who last year took the Ricci-Adani company on a South American tour, has just signed an agreement with the Borboni-Cimara Co. to make another suc excursion. Scheduled for appearances in Buenos Aires, Montevideo and Rio, and will leave here the middle of ay. Company will give plays from its present repertoire, to which it will add a few others that made special hits in Rome this season—among them Robert E. Sherwood's 'Petrified Forest.'

Meanwhile the departure of 80-year-old Ermete Zacconi's company is scheduled for April 8. Octogenarian's daughter Ernes ha just married the young actor Pagliarini. Newlyweds are both members of Zacconi's company, and will go along on the South American tour.

Els Merlini, who just returned from a pleasure trip to North America, was said to be considering forming a company and taking it on the road in Argentine and Brazil. However, Miss Merlini has made no plans for the rest of this theatrical season but is considering another trip to the United States next season and would like to go on the stage there. She says she is not interested in Hollywood.

### COPENHAGEN'S 'MR.

Copenhagen, April

When 'Stand-In' (UA) got the Danish title 'Mr. Dodd gaar til Filmen' ('Mr. Dodd Goes into Pictures'), a new title had to be thought up for 'Mr. Dodds Takes the Air.'

# Self-Named Buenos Aires Censors May Face Trial; Film Ban Echoes

Ires, April 6.

Charges of usurpation of power and abuse of authority have been brought against Senator Sanchez Sorondo and Alberto Pessano, chair- n and an official, respectively, of lm secti of the National Culture Board, and General Vaccarezza, former chief of police. Dr. Saracchaga, officer of the Criminal Courts, is demanding that they be tried.

Charges relate to the action taken by the accused in connection with the film 'Tres Argentinos en Paris,' the title of which was later changed 'Tres Anclados en Paris.' Sanchez Sorondo and Alberto Pessano, in their official capacities, deemed that the film was offensive to Argentine culture, inasmuch as it depicted a group of more or less immoral Argentines in Paris, an decided to ban it, issuing the necessary orders to the police.

Producers, the Lumiton Co., however, and the management of the Monumental cinema, both maintained that the Culture Board lacked the necessary authority to take such action and continued to show the picture. Would-be spectators were not allowed to enter by the police, and all that they could see were bare glimpses through the doors, which were left open by the management.

Dispute was finally settled, thanks to Argentine President General Justo's influence, by changing the name of the fil But the producers decided to bring legal proceedings against the officials concerned, with the result that their trial has been demanded by the public prosecutor.

Meanwhile, it is reported here that Senator Sorondo, Pessano, and a third member of the film sector of the Culture Board, the so-called Argentine Film Institute, Cesar F. Marco, have decided to resign unless the Argentine government gives its full co-operation to the Institute to enable the latter to control the Argentine film production, with regard to its cultural and moral level.

## RUSS OP TO BE FILMED; EGGERTH IN LEAD ROLE

Berlin,

Tchaikowsky's 'Eugene Onegin' is scheduled for a German-Austrian combo picture starring Marta Eggerth. Since weight is shifted over to the femme part, opera will be renamed 'Tatyana.'

It's planned to revamp entirely the script by digging back to the original work of the Russian poet, Pushkin, which will be framed by Tchaikowsky music, taken not only from 'Onegin' but from other compositions as well.

## Title Tiff Over Jap 'King Kong' and Reissue

Tokio, March 26.

Re-issue of 'King Kong' (RKO) set for early next month, April, will probably result in a legal tiff with the Zensho Kinema Co., over the title. Latter outfit has ready for release a Jap subject using the same title.

Reported that Richard Spierman, RKO manager here, has already taken the matter up with the Home Office, with the Zensho outfit doing likewise.

## Dublin Gate Theatre Back on Egypt Tour

Cairo, April 1.

Dublin Gate theatre, which did so-so last year with the help of a subsidy from Egyptian government, is back for more, headed by founders, Hilton Edwards and Michael MacLiammoir.

This year's itinerary omits iro, unless the authorities come through with at least $5,000. Repertoire includes 'Macbeth,' 'Victoria Regina,' 'Night Must Fall,' 'The Drunkard,' 'Berkeley Square' and 'The Provoked Wife.'

### Swedish Shorts for N. Y. Fair

Stockholm, March 25.

Sweden is going to make several shorts to be shown at the N. Y. World's Fair next year.

Will deal with modern Sweden.

## New B.A. Nitery

u ires, April 6.

B. .'s new nitery, the Cosmo-Pigall, opened last week. It is a reopening of the former Casino Pigall and will be operated again by the Lombartour Amusement Co., which is already operating four other local night clubs, Ambassadeurs, Novelty, Tabaris, Casanova and the 1,3 -seater Casino, first vaude house in town.

Cosmo-Pigall will have music by Roberto Sette's jazz nd Carlos di Sarli's tango band, ith 50 girl dancers in attendance. Shows are taken over from Lombartour's other spots and also include some of the European imports for the Casino.

## SEEKING SHOWS FOR AUSSIE TOURS

During his stay in New York, Sam Snider is lining up shows for his legit operations Down Under. Dean is one of the partners in the Snider-Dean theatre circuit of Australia. He goes to London in about a week, and definite deals may not be completed until his return.

Former legitimate houses under the Sir Ben Fuller banner in Australia have been sublet to Snider-Dean. Fuller still owns and operates a number of theatres in New Zealand. Snider indicated last week that his company not only is interested in stage shows for Aussie, but also probably for Africa and the Orient.

Snider cited the A. B. Marcus show tour recently in Australia as indicative of a demand for stage productions. The 46 weeks played in Sydney, Perth, elbourne and several other key cities brought in more than $750,000, he said.

## NEW DANISH MEASURE CHECKS U. S. FILM COS.

Copenhagen, April 5.

New cinema bill, which also restricts cinema licensees' earnings to $6,000 per year, plus % of further net earnings, forbids foreigners to act as managers for American film companies in Denmark. Bill is only of little interest, as all American companies already have Danish-born managers for their agencies in Copenhagen.

Hans Malmstrom is the latest Dane to be named a manager. Now acts as supervisor of all Metro Scandinavian agencies.

## Doyle Arranging to Sell Pic on Religious Theme

ydney, March 26.

Stuart F. Doyle is making arrangements for the release of picture, 'Cloistered,' which he secured during his last American trip.

Possibility that release may go through British Empire Films, but in any case Doyle intends to see it's sold along lines which will gain support from religious bodies throughout the Commonwealth. Special exploiteer will probably be used to spot territory of a suitable nature for best b.o. returns.

## Hale Denies Split

London, April 5.

Sonnie Hale denies the report that he would direct no more pictures with his wife, Jessi atthews, for Gaumont-British, and that they would produce films on their own.

He says their contract with GB expires end of September and they will make two more pictures before then. They go into production almost immediately for the first of the two, titled 'Asking for Trouble.' Present intention is to produce their own stage show at the conclusion of their present film contract.

## Tit for Tat

Johannes Poulsen, tor and director, 'Everyman' in Hollywood a few years ago, was robbed in his home here of about $2,500 hidden in a little wooden cigar box.

But next morning, his wife, Denmark's prima ballerina, Ulla Poulsen, was notified she would be awarded approximately $2,000 from Ta a Brandt's legacy for inent women artists.

## 'POWER-GLORY' BOWS, LONDON

London, pril 12.

'Power and Glory,' propaganda play by Karel Capek, bowed last Friday (8) at the Savoy theatre. Although an excellent anti-war drama and excellently acted, it will probably suffer from the prior presentation of 'Idiot's Delight.' Oscar Homolka returned to the local stage in the show, which was put on by Jack de Leon. Claud Gurney directed.

'Painted Smile' folded at the New theatre last Saturday (9) after eight days. 'Moonshine,' Irish play, also hit the skids on the same day at the Ambassadors theatre.

'Road to Gandahar,' melodrama by Boris Trami , closed Thursday (7) after two weeks at the Garrick.

'Ghost for Sale,' comedy by Ronald Jeans, bowed at the Whitehall Wednesday (6) with A. E. Matthews, British actor who has appeared in U.S., in the lead. Clever and witty piece was well received.

## New Reforms Set For Italy's Legit Year Primed to Help Biz

Rome, April 3.

Two reforms to be tried out next season in attempt to improve Italian legit will be to build better theatres and organize semi-permanent companies.

There being no way to make privately owned theatres improve their stages, istry of Popular Culture is throwing its weight behind those cities which want to improve their municipal theatres. Measure is under consideration now to id. If passed, may eventually force private enterprise to polish up, too.

Besides coping with badly ulpped, lighted and ventilated theatres, Italian legit also has to deal with the strange existing roadshow system. No companies go on the road with a successful play. Nor are there stock companies that stay in one place and offer a varied repertoire. Instead, there are stock companies that have a repertoire and are continuously on the road.

Therefore, it's hoped that next legit season at least some of the big companies can be given semi-permanent status. One company may be formed at Rome and another at Milan, which, after five-month runs at their respective theatres, would change places.

Almost all of the existing legit companies will be dissolved at the end of this season, leaving plenty of opportunity for new combinations next season. At the end of the current season the films will draw some of the names.

## Lupe's Mex High

exico City, Apri

New high gross for a picture premiere copped here at class Cine Teatro Alameda with 'La Zandun ,' Lupe Velez's first made-in-Mexico. Gross was $2,500.

Intake was particularly good as the price of the premiere was 85c.; an extraordinarily high pass-in here.

## Egypt Oscars WB

Hollywood, April 12.

Because the Egyptian government is desirous of encouraging better pictures, it has refunded to Warners the customs duties levied against 'The Life of Louis Pasteur.'

Notification was sent the picture company's C iro office by the Egyptian Minister of the Interior.

# Seek Return to Single Features; Other British Quota Act Angles

ndon, April 5.

John Maxwell, rez of Associated British Pictures, is counted on to lead fight for the return to single features shortly after the new quota law becomes effective. Law starts operating Oct. 1. Number of ABP cinemas (possibly 30) plan to drop double bills then, using A product, shorts and probably vaudeville.

Cheaper product is expected to be eliminated to a great extent by the minimum cost clause of new quota law. Also, U. S. distributors will fill out quota credits with fewer class productions rather than make all of quota program with the minimum cost fil s. Indi exhibitors admittedly apprehensive of the possibility that there will not be enough inexpensive features to run dually.

However, plans to run shorts may be complicated by the fact that the boost in short feature quotas possibly will inspire American distributors to keep their short subjects in the U. S. rather than be forced to purchase any considerable number of ritish shorts. American distribs here say that U. S. companies have plenty of shorts material without buying up any English-made films.

There is one possibility foreseen on Wardour street. This is that the shortage of features may hike the value of shorts. Of course, if this happens it would make the short feature market more interesting to American companies.

Typical Lancashire exhibitor was of the opinion that a product shortage, which looms, would bring back single features and stretch usual three-day runs to six days.

## Arthur Loew's Trek

Arthur M. Loew, head of foreign affairs for Loew's, Inc., who arrived here about a week ago, will visit Melbourne, Adelaide and Brisbane before leaving for New Zealand. His visit is part of a five-month tour, which includes several foreign countries served by Metro and Loew.

Present status of the New South Wales quota situation naturally came to his attention while in Sydney but he made no official comment. Loew leaves here April 29 for Auckland. He will shove off from Auckland May 2 on his return trip to U. S., visiting Pago Pago and Honolulu on his way back. He's due back in America May '.

## U. S.-JAPAN FILM DEAL STILL PENDING

, April 8.

Much-discussed proposition of Hisaji Kubo, Japanese attorney, for getting picture rental money out of Japan is still hanging fire, but a definite settlement looms. New York offices of American film companies have wired a counter-proposal to Kubo. Exact text is not revealed, but it is reported as more favorable to distribution companies than the one originally offered by Kubo on his visit to U. S.

Because it is understood here that Kubo has agreed to some changes in the original plan, fresh hope is held out for placing the proposition into operation. Kubo is said to be still sticking to the basic features of his first plan, which is for American distribs to accept promissory notes, signed by Japanese banks and payable in New York for all coin stymied here: In return for this, Kubo agrees to induce the government to lift the ban on imports. On pictures thus imported, all money earned is to be similarly held up for three years, except that deductions may be made for operating expenses. Operation would be under a goverment permit system.

Objections recently have been that Kubo would be the whole boss and that the whole thing smacks of being a mild government monopoly. Understood that the distributors want to have some participation in the operation of any plan and be permitted to have absolute control of their respective organizations here. They also want to have the deciding voice in regard to subjects for importing into Japan.

atter of putting accumulated coin in cold storage, while causing inconvenience and perhaps some delay, actually is secondary to distribs. Possibilities of future operations and getting new product into this country are of prime importance.

No U. S. films have come in since last October, and exchange vaults are about depleted of new, strong films. Understood that nearly all major companies are taking steps to insure ace pictures being rushed i as soon as the ban on imports is lifte

E. Perkins, Paramount's Far East manager, is in New York to assist in negotiations with Kubo on proposed ban lifting. A. C. Doyle, 20th-Fox manager in Tokyo, is in Shanghai, conferring with Del Goodm n, Far East manager.

## Blum's Foreign O. O.

Dave Blum, secretary of etro's international department, left Saturday ( ) on a seven-week business trip to Italy, France, England and Holland. Heads first for Italy.

Study of title publicity, censorship and latest wrinkles in superimposing titles will be undertaken by Blum in all four countries, with idea of reporting back to his company result of his survey. He is due back in New ', June 1.

## GUITRY PIX SET PACE IN BERLIN

Berli ,

Biggest success here this season are the two films by the Frenchman, Sacha Guitry, 'Pearls of the Crown' and 'Story of a Swindler.' First is in its fifth month at the Astoria on Kurfurstendamm, with no letting up in sight. After its good start at the Atrium, 'Swindler' was dubbed by Werner Finck, Germany's ace m.c. and is now doubling up on the success of the original.

On the strength of his success, French acting and scripting director Guitry is planning to p.a. here. Expected here this month.

## TEDDINGTON, LONDON, RESUMES PROD. SKED

London, April 5.

Teddington studio started work yesterday after long period of inactivity due to uncertainty over new quota laws. Opening 1938 producing program is 'The Return of Carol Sawyer,' with Bebe Daniels in the name part.

Studio laid off 3 employees early this year and plans discussed by Irving Asher with Warner's, in Hollywood, were forced to mark time while Parliament juggled with the quota schedules. Now Asher is out and new picture marks debut of Jerry Jackson, former associate producer for Warners, as top man.

## 'Credo,' Religious Drama, In Melbourne Presentation

arch 26.

Accor report in church circles, ,' a Catholic religious drama, may be presented her shortly.

Archbishop Duhig, of ueenslan , mentioned that the play presentation was ing very seriously considered in connection with Catholi centenary celebrations. 'Credo' was produced recently in Auckland, by special permission, and carried a cast of 2,000.

### $12,500 Rome Fire

Rome, April 3.

Fir in the Palatino Film Studios here, where many foreign films are dubbed, caused about $12,500 damage.

# GREAT AS CAN BE!

**WARNER BROS.**
Made It With 1182 Players And
**TECHNICOLOR**

*The Adventures of*
# Robin Hood

with
## ERROL FLYNN

OLIVIA DeHAVILLAND
BASIL RATHBONE • CLAUDE RAINS
PATRIC KNOWLES • EUGENE PALLETTE • ALAN HALE
MELVILLE COOPER • IAN HUNTER • UNA O'CONNOR
Directed by MICHAEL CURTIZ and WILLIAM KEIGHLEY
Original Screen Play by Norman Reilly Raine and Seton I. Miller • Based upon Ancient Robin Hood Legends • Music by Erich Wolfgang Korngold • A First National Picture

**First Showing At RADIO CITY MUSIC HALL Early In May!**

## Women Are Like That

Warner Bros. release of First National production. Stars Kay Francis and Pat O'Brien, features Ralph Forbes, Thurston Hall, Melville Cooper, Grant Mitchell. Directed by Stanley Logan. Story, Albert H. Z. Carr; adaptation, Horace Jackson; editor, Thomas Richards; photography, Sid Hickox. At Strand, N. Y., week April 9, '38. Running time, 78 mins.

| | |
|---|---|
| Claire Landin | Kay Francis |
| Bill Landin | Pat O'Brien |
| Martin Brush | Ralph Forbes |
| Mainwaring | Melville Cooper |
| Claudius King | Thurston Hall |
| Mr. Snell | Grant Mitchell |
| Howard Johns | Gordon Oliver |
| Charles Braden | John Eldredge |
| Avery Flickner | Herbert Rawlinson |
| George Dunlap | Hugh O'Connell |
| Mrs. Amelia Brush | Georgia Caine |
| Joyce Peniston | Miss Hall |
| Mrs. Snell | Sarah Edwards |
| Miss Douglas | Josephine Whittell |
| Miss Perkins | Lola Cheney |
| Holliwell | Edward Broadley |

A long-winded story, much tiresome dialog and shoddy direction holds down a good cast of players in 'Women Are Like That,' which marks another disappointment for Kay Francis.

Originally a satevepost story, it no doubt reads better than it screens, although a part of the fault of the picture is the fact that it has not been well edited. Running 78 minutes, it gets terribly tiresome. Almost all the way it is slow and talky, with considerable dialog at times concerning details that are unimportant. The adaptation must have been a difficult job since so much development of characters is seemingly necessary.

Plot revolves around the reunion of a man and wife who were broken up through circumstances of a sociologically interesting character. Pat O'Brien, opposite the stately Miss Francis, who again is given ample opportunity to dress, has a role that is sometimes sympathetic; at other times not. He enacts a character that is unconvincing in both attitude and action. Miss Fran- is garnering most of the sympathetic interest. Her speech at a business forum is a bit touching.

Others in the well chosen cast are Ralph Forbes, Melville Cooper, Thurston Hall and Grant Mitchell. All turn in excellent performances, although Cooper gets a little tiresome with his laugh and a cigaret holder a block long. The sets are impressive and the photography good. *Char.*

## Nurse from Brooklyn

Universal release of Edmund Grainger production. Features Sally Eilers, Paul Kelly, Larry Blake, Maurice Murphy. Directed by S. Sylvan Simon. Screenplay by Roy Chanslor, from story by Steve Fisher. Camera, Milton Krasner. Previewed in Projection Room, N. Y., April 8, '38. Running time, 65 mins.

| | |
|---|---|
| Elizabeth Thomas | Sally Eilers |
| Jim Barnes | Paul Kelly |
| Larry Craine | Larry Blake |
| Danny Thomas | Maurice Murphy |
| Inspector Donohue | Morgan Conway |
| Detective Branch | David Oliver |
| 'Ma' Hutchins | Lucile Gleason |

Spirited meller for the duals, where it'll do nicely on the entertainment side and hold up well enough on the draw. Well paced picture which again revives the cop who fights the gangster elements, and romances a nurse on the side.

Girl (Sally Eilers) nurses in a Brooklyn hosp. Her brother (Maurice Murphy) gets out of a reformatory after three years and didn't squeal on a friend (Larry Blake) for whom he took a rap. Latter takes released ex-con for a motoring in a stolen car. Cop (Paul Kelly) apprehends them and is shot by the gangster. Then kills the boy to silence him. Nurse is told by the killer that the cop murdered the boy in cold blood and he wounded the cop in self-protection.

Girl is duped, and when brass-buttons recovers he starts romancing her, since he has learned her connection in the case. Tracking down and eventually getting the gunman has plenty of good suspense.

There's a standout performance turned in by Blake, who is pretty well established in vaude and niteries with his impersonations of well-knowns. He invests in his characterization plenty of adroit pyschological touches that make the gunman at once fascinating and repellent. As an actor, Blake will be worth watching in future.

Miss Eilers is o.k. in a role that keeps her before the lenses throughout about all the footage. Kelly is sufficiently rough-and-ready as the cop and does a realistic job of his role. What little humor there is is safely entrusted to his care. Other roles are secondary, amounting to but bits.

Direction isn't fancied up, but serves the purpose of presenting the story for what it is and seeing that pace and actors give it its head. Camera very good. *Bert.*

## Code of the Rangers

Monogram release of Concord production. Stars Tim McCoy; features Rex Lease, Judith Ford. Directed by Sam Newfield. Story and screen play, Stanley Roberts; camera, Jack Greenhalgh. At Central, N. Y., dual, week April 8, '38. Running time, 56 mins.

| | |
|---|---|
| Tim Strong | Tim McCoy |
| Jack Strong | Rex Lease |
| Ann Sayre | Judith Ford |
| Dave Sayre | Frank La Rue |
| Miller | Wheeler Oakman |
| Lawrence | Roger Williams |
| Red | Kit Guard |
| Singer | [illegible] Clemens |

tle more to do than be quick on the draw and handle his fists with equal dexterity. A minor mustanger.

It's the story of two brothers on different sides of the social fence, with McCoy, as a Texas Ranger, forever helping Rex Lease, the wayward lad. There's some bank robbing, for which McCoy takes the blame to shield his brother, but ultimately it turns out the usual way. Judith Ford is the love interest but has little to do except look pretty.

Rest of the cast, direction and filming skids. For the kindergarten grade.

## Torchy Blane in Panama

Warner Bros. release of First National production. Stars Lola Lane, Paul Kelly; features Tom Kennedy, Anthony Averill, Larry Williams. Directed by William Clemens. Screen play by George Bricker from story by Anthony Coldeway, based on characters created by Frederick Nebel. Camera, Tony Gaudio; editor, Thomas Pratt. Previewed in Projection Room, N. Y., April 8, '38. Running time, 59 mins.

| | |
|---|---|
| Torchy Blane | Lola Lane |
| Steve McBride | Paul Kelly |
| Gahagan | Tom Kennedy |
| Crafton | Anthony Averill |
| Bill Canby | Larry Williams |
| Kitty | Betty Compson |
| Skinner | Hugh O'Connell |
| Botkin | James Conlon |
| Maxie | Joe Cunningham |
| Captain McTavish | Frank Shannon |
| Captain McDonald | Eric Stanley |
| Sparks | John Ridgeley |
| Desk Sergeant Grace | George Guhl |
| Gomez | George Regas |
| Ship's Officer | James Nolan |
| Ship's Officer Nelson | Jack Mower |
| Aviator | John Harron |

Fifth in the Torchy Blane series is another of the action pictures in which a girl reporter comes through to defeat her male news competitor. Formula is thus fundamentally the same with a different plot and new leads. Lola Lane is in for Glenda Farrell and Paul Kelly for Barton McLane. A B dualer.

Taking off from a bank robbery in New York during a convention of the Loyal Order of Leopards, Torchy and her opposition, played by Larry Williams, battle it out for a scoop by going all the way to Panama. She catches up on a slow start by jumping from a plane, causing the steamer to stop to pick her up in mid-ocean. The boy friend is, as heretofore, an overbright flatfoot depicted by Paul Kelly. Everything moves at a fast clip right through the film's 59 minutes, with Torchy almost defeated at the end, but coming through for a clean beat with the help of Tommy Kennedy as Gahagan, another detective. Latter is burned by treatment he has received from the opposition reporter who has queered him with the Havana beauties. Consequently he holds him under pistol point, while Torchy files the big story, after Anthony Averill, a newcomer to films, and the handsome villain, has been apprehended.

Much of the comedy depends on the overdone antics of a dull and stupid copper, depicted as an extremely ordinary character. While undoubtedly there will be some laughs, the film reveals a production of poor order. Basically the Torchy idea is okay. Its production is shabby, less in execution than in the idea factory.

Lola Lane is more metallic than her predecessor and possibly a bit more vigorous. Between Paul Kelly and Barton McLane there is not much choice.

## INVISIBLE ENEMY

Republic release of John H. Auer production. Features Alan Marshal, Tala Birell, Mady Correll, C. Henry Gordon, Herbert Mundin. Directed by Auer. Screen play, Albert J. Cohen, Alex Gottlieb, Norman Burnstine; original story, Cohen, Robert T. Shannon; camera, Jack Marta; editor, William Morgan; musical director, Alberto Colombo. Reviewed in Projection Room, N. Y., April 7, '38. Running time, 65 mins.

| | |
|---|---|
| Jeffrey Clavering | Alan Marshal |
| Sandra | Tala Birell |
| Stephanie | Mady Correll |
| Ramsay | C. Henry Gordon |
| Higgs | Herbert Mundin |
| Bassett | Gerald Oliver Smith |
| Michael | Ivan Simpson |
| Sachin | Ian Buchanan |
| Alex | Dwight Frye |
| Dunbridge | Leonard Willey |
| Sir John | Ian Maclaren |
| Kleinhardt | Egon Brecher |

International intrigue has its inning in 'Invisible Enemy' and gets thrown out by a mile at first base. Film is a desultory affair, whose lively moments are few and far between due to a hackneyed story and equally provincial direction. For the hinterlands, at best.

Picture's only surviving interest is Alan Marshal, comparative newcomer to Hollywood, who is startlingly like Ronald Colman in looks and manner. But his efforts are unavailing, true also of the fine performances by C. Henry Gordon, as the menace, and Herbert Mundin, detective blighter.

Marshal plays a secret agent in the service of pacifist financiers and through his wooing of Gordon's wife, from whom he gains information on her husband's operations, and after several daring escapades, nips the plot. Mady Correll is the love interest, more recently of the Broadway stage.

## Miniature Reviews

**'Women Are Like That'** (WB). Slow-moving romantic drama starring Kay Francis and Pat O'Brien.

**'Nurse from Brooklyn'** ( ). Sturdy cops 'n' crooks meller for the duals. Sally Eilers, Paul Kelly, Larry Blake top.

**'Mr. Moto's Gamble'** (20th). Good, light entertainment that will perpetuate the b.o. appeal of this series.

**'El Traidor'** (Olga). Mexican-made Spanish talker. Mediocrity which will be lost in the shuffle.

**'Female Fugitive'** (Mono). Combo drawing room and racket picture that won't hurt on the multiples.

## Pearls of the Crown

('Les Perles des Couronne')
(FRENCH MADE)

Lenauer International release of Serge Sandberg production. Stars Sacha Guitry, Mme. Sacha Guitry (Jacqueline Delubac), Lyn Harding; features Ermete Zacconi, Percy Marmont, Catalano, Cecile Sorel. Directed by Sacha Guitry and Christian Jaque. Screenplay by Sacha Guitry; English version by Stuart Gilbert; musical director, Jean Francaix; camera, J. Kruger. At Filmarte, N. Y., week April 11, '38. Running time, 105 mins.

| | |
|---|---|
| Jean Martin<br>Francis I<br>Barras<br>Napoleon III | Sacha Guitry |
| Francoise Martin<br>Mary, Queen of Scots<br>Josephine | Jacqueline Delubac |
| King Henry VIII<br>An equerry to His Majesty | Lyn Harding |
| Pope Clement VII | Ermete Zacconi |
| Chamberlain to Pope | Enrico Glori |
| Catherine de Medici<br>Empress Eugenie, 1914 | Marguerite Moreno |
| Queen Mary Tudor<br>Queen Elizabeth | Yvette Pienne |
| Spinelli | Catalano |
| Queen of Abyssinia | Arletty |
| Cardinal Wolsey | Percy Marmont |
| Darnley | Derrick de Marney |
| Anne Boleyn | Barbara Shaw |
| Madame Du Barry | Simone Renant |
| General Bonaparte | Jean Louis Barrault |
| Napoleon I | Emile Drain |
| A Courtesan | Cecile Sorel |
| An American | Fred Duprez |
| Gabrielle D'Estress | Germaine Aussey |

*(In French, Italian and English; with English Titles)*

Sacha Guitry's presence in this production as author, director and actor provides considerable box office lilt. It is one of the most extravagant features to come from France, made late in 1936 and early last year. Film was hurried to completion in hopes of cashing in on crown jewels angle at England's coronation. Since that time the picture has been re-edited and English titles added. Addition of latter has removed original objection that the auditor must understand French, English and Italian to follow certain scenes. These now surmount the rough spots.

Film should prove nice box office in arty theatres. Vehicle perhaps best fits the original French description—a melange. It contains a bit of everything except singing and a spectacular battle scene. Tracing the history of four pearls in the English crown rings in historical figures in France, England, Italy and Abyssinia from King Henry 8th, Pope Clement 6th, Napoleon 1st on down through Josephine of France, Empress Eugenie, Queen Elizabeth, Madame DuBarry and Napoleon 3d to the present day.

Production will have dubious going outside of art theatres unless pruned heavily, which seems impossible because of yarn's episodical nature. The hunt of present-day characters for the three missing pearls (with flashback to trace their journeys) wavers between pertinent passages to tedious and so-called exotic episodes. It is different but some audiences may think the scissors should have been plied.

More than half of story is related in English — virile English, too. It follows the treacherous method of plot construction, at least in a foreign producer's hands, by having three speakers, one an Englishman, another a Frenchman and a third, an Italian, describe the history of the pearls. Once it gets away from this stilted style, the film builds.

Feature is strongest in its character portrayals and piquant incidents. Sacha Guitry is cast as Jean Martin, Francis 1st, Barras and Napoleon 3d. The Francis characterization is perhaps the best, but all are finished. His wife, Jacqueline Delubas, is effective as Francoise Martin, Mary, Queen of Scots and as Josephine. Lyn Harding is superb as Henry 8th and as an equerry to the present-day king describing the yarn. Ermete Zacconi, as the Pope, is capable in a life-like portrayal.

There are so many other characters, all finely cast, that few stand out. Yvette Pienne's Queen Elizabeth perhaps is best in support though a chap tagged only as Catalano, in role of Spinelli, displays possibilities and looks. Percy Marmont as Cardinal Wolsey, is a happy addition in little more than a bit. Barbara Shaw's interpretation of the Anne Boylen part justified giving it more prominence.

Film possesses some unvarnished romancing though for the most the paprika is adequately manipulated. Grotesque effort for travesty is found in the Abyssinian sequence when a dusky maiden claiming to be a descendant of the Queen of Sheba, vamps the handsome Italian pearl-seeker while a large snake is entwined about her neck. Supposed to be all in fun, as witness Guitry's pidgin French, which he has the queen speak. But here and in a couple of other spicy episodes audience reaction is in doubt.

Production has innumerable expensive sets, several tricky camera shots and is well photographed by J. Kruger. Direction, part of which was handled by Guitry, wavers at times though he generally sticks to a concise plot development. He has kept things happening even though fault may be found with the sequence of events and inclusion of trivia. *Wear.*

## MR. MOTO'S GAMBLE

20th Century-Fox release of John Stone production. Stars Peter Lorre; features Keye Luke, Dick Baldwin, Lynn Bari. Directed by James Tinling. Original screenplay by Charles Belden and Jerry Cady, from character, 'Mr. Moto,' created by J. P. Marquand; camera, Lucien Andriot. At Palace, N. Y., dual, week, April 7, '38. Running time, 71 mins.

| | |
|---|---|
| Mr. Moto | Peter Lorre |
| Lee Chan | Keye Luke |
| Bill Steele | Dick Baldwin |
| Penny Kendall | Lynn Bari |
| Nick Crowder | Douglas Fowley |
| Linda Benton | Jayne Regan |
| Lieut. Riggs | Harold Huber |
| Wellington | Maxie Rosenbloom |
| Philip Benton | John Hamilton |
| Connors | George E. Stone |
| Clipper McCoy | Bernard Nedell |
| Gabby Marden | Charles Williams |
| Biff Moran | Ward Bond |
| McGuire | Cliff Clark |
| Sammy | Edward Marr |
| Joey | Lon Chaney, Jr. |
| Frankie Stanton | Russ Clark |
| District Attorney | Pierre Watkins |
| Editor | Charles D. Brown |

Romance and comedy are well interwoven as Moto (Peter Lorre), in his latest, solves a ring murder. Okay action, and the story is atmosphered with the usual fight game addicts, cops, gamblers, bookies and trainers, besides women. Lynn Bari and Jayne Regan divide the s.a. assignment. Okay cast and smart production which should accelerate the growing popularity of the Moto series.

Moto runs a school for sleuths. While attending a fight, one of the ring contestants is killed in action. Moto ultimately proves that the head of the promoting syndicate committed the crime. His chief assistants are his two unwittingly funny pupils, Wellington (Maxie Rosenbloom), and Lee Chan, son of Charlie Chan (Keye Luke). Rosenbloom as a dimwit trying to learn to be a cop surprises with the quality of his buffoonery. Dialog is okay and Keye Luke adds to the screwball comicalities.

Peter Lorre is beginning to look more at ease in the role of Moto.

The romantic angle could have been knitted more strongly, and the fact that a son of Charlie Chan is among the characters perhaps signifies that more interesting 'Moto' developments may be expected in future films of this series.

Lynn Bari is the newspaper gal heroine, but Jayne Regan, whose pappy finally proves to be the murderer, also angles for the hero. Miss Regan is an okay nemesis. *Shan.*

## EL TRAIDOR

('The Traitor')
(MEXICAN MADE)

Duquesa Olga release of Jose Bohr production. Directed by and stars Bohr. Features Lupita Tovar. Story and dialog by Xavier Davila. At Teatro Hispano, N. Y., week April 9, '38. Running time, 47 mins.

Cast: Jose Bohr, Lupita Tovar, Barry Norton, Rene Cardona, Angel Sala, Alberto Marti, Pilar Fernandez, Sara Garcia, Emilio Fernandez, Carlos Baz, Manuel Noriega.

*(In Spanish; No English Titles)*

For what sparse playing time there is for Spanish-speaking films, this one offers but little. Poor, rather completely amateurish production doesn't help a confused yarn, in which the drama intended doesn't come off.

Jose Bohr, who is starred, and who directed as well as produced, is the only cast member who evinces any sound acting ability. In the leading role, he peps up his own scenes. Unfortunately, he let the two other departments entrusted to him lapse. Direction is stodgy and permits the pace to slow to a crawl. Production consists of only several interiors, with most of the action revolving around a chowmeinery.

Story has to do with a crusader against gang of dope smugglers. It's hard to follow and lacks conviction. Common reaction will be to ask what was the use.

Cast as a friend betrayed by the titular character is Barry Norton, in feature parts for some years in Hollywood. His Spanish diction is good, being of Latin extraction despite his moniker. His are the only good-looks in the picture; in fact, as the only blond-haired actor among so many raven-locks it makes him stand out. Norton has been playing Spanish films for last several years. Lupita Tovar hasn't much to do but look alternately sad and mysterious as the femme lead, who's a floorshow entertainer in the chowmeinery. She, too, has been in Hollywood.

Camera is especially poor. In one scene the hanging mike was partially visible above the heads of the troupe engaged in the scene.

## FEMALE FUGITIVE

Monogram release of E. B. Derr production. Features Evelyn Venable, Craig Reynolds. Directed by William Nigh. Original screenplay, John T. Neville, Bennett R. Cohen; camera, Arthur Martinelli. At Globe, N. Y., dual, week April 9, '38. Running time, 60 mins.

| | |
|---|---|
| Peggy Mallory | Evelyn Venable |
| Jim Mallory | Craig Reynolds |
| Bruce Dunning | Reed Hadley |
| Ted | John Kelly |
| Mrs. Bannister | Charlotte Treadway |
| Doctor | Reginald Sheffield |
| Burke | Rafael Bennett |
| Mort | John Merton |
| Leonard | Emmett Vogan |
| Roberts | Lee Phelps |
| Claire B. | Marie [illegible] |

Evelyn Venable's second Monogram feature. She runs away from her criminal husband to win the love of a painter against jealous competition. Miss Venable gets careful camera consideration all the way. Her lines are not bad and John Kelly is a funny Irish chauffeur. Craig Reynolds not a bad scowler, and Reed Hadley, stiff, but passable as the artist. By no means to lead a program, but okay down under stuff.

Craig Reynolds, husband to Miss Venable, is a trucking hi-jacker. She doesn't know it. The cops do, but by the time she discovers the fact it's too late to escape being involved. She takes it on the lam and through John Kelly, playing the part of a mick chaffeur, winds up cooking for Reed Hadley. Then romance comes anew. Some gunplay follows and Craig Reynolds winds up behind a cop's bullet. That paves for a happy ending.

The picture possesses production qualities not usually to be found in this type of down under product. In its class this combo drawing room and racket drama is better than average. Has action, romance and some puffed-up comedy.

William Nigh has done a good directorial job, getting the most out of the story and cast and providing a smooth pace to the action. Arthur Martinelli's camera work is to be commended, too. *I n.*

## Charm of La Boheme

(AUSTRIAN MADE)

International Cinemart release of Intergloria Film. Stars Jan Kiepura, Marta Eggerth. Directed by Geza von Bolvary. Scenario by Ernst Marischka; music by Puccini; musical direction, Robert Stolz; camera, F. Planer. At World, N. Y., April 7, '38. Running time, 90 mins.

| | |
|---|---|
| Rene Lamberlain | Jan Kiepura |
| Denise | Marta Eggerth |
| Pierre Cosale | Paul Kemp |
| Aristide Boupon | Theo Lingen |
| Andre Dupre | Oskar Sima |
| Prof. Delumnt | Richard Romanowsky |
| Isolette Dirldon | Lizzi Holzschuh |
| Francois Vernier | Alfred Gerasch |
| Octave de Croisson | Carl Gunther |
| Didier Blancheron | Fritz Imhoff |
| Anito | Mimi Shorp |
| Biscot | Karl Skraup |
| Frau Darlmuche | Luise Kartousch |
| Theaterarzt | Hans Brand |
| Opera Inspector | Ray Neuhoffer |
| Charles Fouque | Robert Valberg |

*(In German, with English Titles)*

Very pleasant film has considerably more general appeal than most imports. Music-minded public will like it. Puccini's score, plus good acting and additional musical background supplied by Robert Stolz and Marta Eggerth all contribute toward making this film several cuts above standard entertainment.

Reasonably substantial plot leads up to the last act of the Puccini opera, 'Boheme.' Story is interlocked with that of two lovers, played by Kienura and Miss Eggerth. Latter, on discovering that her life is certain to be cut short because of lung trouble, becomes the mistress of one of the opera powers, making it possible for Klepura to appear. He does not learn of this sacrifice on her part until the story is well along. Through having him engaged for a club date at her wealthy patron's home, she also sings and makes such an impression that she, too, is permitted to sing in opera. Thus, years after their separation, they are reunited in her dying moments, and she collapses during her performance as Mimi on the stage.

They make an excellent operatic singing team and carry out their assignments well. There is some good comedy in the behavior of their Bohemian friends in the early part of the picture, who contribute much to the pathos at the finish. Paul Kemp, Theo Lingen, Oskar Sima and Lizzi Holzschuh in these roles are all assets to the film.

## Es Leuchten Die Sterne

('The Stars Are Shining')
(GERMAN MADE)

Berlin, April 2.

Hans H. Zerlett release of Tobis Filmkunst. Book and direction by Hans H. Zerlett. Costumes and scenery, [illegible]; camera, Georg Krause; music, [illegible], Paul Lincke, Franz R. Friedl, [illegible]; dances, Anthony Nelle. At the Capitol. Running time, 103 mins.

| | |
|---|---|
| Hans Holzer | Ernst Fritz Fürbringer |
| Dancer | La Jana |
| 'Cap dancer' | [illegible] |
| Carla Wellen | Vera Bergman |
| Werner Baumann | [illegible] |
| Mathilde [illegible] | [illegible] |
| Kuntz | Rudi Godden |
| [illegible] | [illegible] |

[illegible] Max Schmeling, Rudolf [illegible], Manfred von Brauchitsch, [illegible], Kurt Mikulski.

# IN OLD CHICAGO GIVES ROXY MOST AMAZING RUN IN HISTORY...

## after 3-month road-show run at Astor, N Y

- S. R. O. — absolute capacity — all day from first opening show (Friday) to press-time Monday!
- Theatre forced to stop ticket sales repeatedly every day!
- Opening-show crowds Sunday too great for police to handle... theatre forced to open full hour earlier!
- Ten minutes after picture started, house jammed to absolute capacity (6,000 people) . . . and continued throughout day!
- All this despite terrific, all-day downpour Friday and Saturday!

**And elsewhere:**

**4th WEEK: DALLAS** (first 4th week holdover in Dallas history!) **and SAN FRANCISCO!**

**3rd WEEK: BUFFALO, ROCHESTER, SYRACUSE, DETROIT!**

**AND HELD OVER IN EVERY OTHER PRE-RELEASE RUN!**

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

# DRIVE TO KAYO RACKETS

## TO OUST GAMES, GIVEAWAYS, ETC.

### Millions Spent for Crockery, Prizes and Kindred Gags Belong Legitimately in the Boxoffice—Meantime, Pennsy Decision, Nixing Bingo and Banko, May Do the Reverse

### CHURCH BINGO OUT

Campaign to point out the evils of giveaways, premiums, dishware and all so-called games of chance in the next few months is being considered by the Hays organization. Further study with exhibitors on the effect these have on the picture business was recommended by ill Hays in his formal annual written report.

Tentative plans are reported to call for the repeated stressing of ultimate damage done to both the box office and calibre of product. Haysians admittedly are seeking ways and means of cutting down this unsolved industry problem. It is held to be one of the basic evils resulting from unrestrained competition.

Trade estimates that millions of dollars are spent annually for giveaways or staging of games in film houses. One estimate is an expenditure of $20,000,000 each year. Check showed that this amount as compared with $100,000,000 box office take obviously takes away a certain amount of coin that might go into the production of better films. Belief is that ultimately the giveaway may cause entertainment as such to suffer.

With public becoming more cognizant of the ability to fix various money games, the attraction seems to be wearing thin. Spread of the assorted sweepstakes to homes, churches, clubs, private commercial gatherings, etc., seems to have wised 'em up on the gimmicks.

District Attorney Foley of the Bronx, N. Y., recently nixed the idea for churches on the grounds that local racketeers were involved in majority of games.

#### Important Ruling

Philadelphia, April 12.

Scramble into double features, dish giveaways, price slashing and other biz hypoes was foreseen here this week by industry leaders if the Pennsy supreme court sustains a lower tribunal's decision of last Saturday outlawing banko, bingo and all other games.

Philly and many towns in other parts of the State are overseated for ordinary b. o., managers argue, and houses can survive only through constant shots in the arm. Games provided a large quantity of this artificial stimulus in the past. Without them, it is felt, many houses will be forced to shutter when prices can be cut no lower and duals, never popular here, fail to attract.

Only good news to exhibs in the 14-page sociological opinion of Judge Harry S. McDevitt is that his ban applies equally to churches, fraternal organizations and other bodies using bingo for fund-raising purposes.

Some exhibs, in fact, aren't too sorry at all about the decision. They feel that the effectiveness of the games has pretty much evened out and they will do just as well by saving the prize money and looking for added biz that was going to church bingo parties.

Hardest hit, of course, will be the indies. Faced with competition from Warner Bros. in practically every situation in the territory, they originally turned to games to compensate for their subsequent runs. WB, however, recently added the games in houses in what was believed to have been an attempt to kill them. They found them so profitable, though, that they are in almost every Warner nabe and the chain is sincerely hoping for a reversal of McDevitt's opinion. WB, still controlling product, of course, isn't in such a bad plight as the indies as result of the ruling.

Actually, Saturday's decision has had no effect yet and probably won't have for almost a year. Bill of exception has been filed to McDevitt's decision and will be heard by the three judges of Common Pleas Court No. 1, sitting on April 25. McDevitt asked that no police action be taken until then. If the ban isn't upset at that time, case will be taken to the Supreme Court and a supersedeas will be asked at once. If the supersedeas is granted, as it usually is, it stays the effect of the lower court decision until the top tribunal hands down its ruling. This always takes months.

#### irst Opinion

McDevitt's decision is the first clear-cut judicial opinion on games in Pennsy. It was on a test case argued more than a year ago. At that time, police ordered the Palm theatre to cease the games. David S. Malis, attorney for the house, asked an injunction to prevent the Mayor, Director of Public Safety and Chief of Police from interfering. Decision was on McDevitt's refusal to make this injunction permanent.

While the court's ruling dealt only with the game of 'Lucky,' distributed by Dave Molliver here, Judge McDevitt afterward stated: 'My decision applies to any game of chance, whatever called or wherever played. The name is unimportant. It is the transaction. This court is not called upon to pass upon the propriety or popularity of such entertainment. Whether we approve or disapprove is unimportant. Whether the suppression of such games can put an end to gambling is not an issue. This is purely a question of law and a narrow issue that must be decided by statute and not be choice or clamor.'

(McDevitt is a w. k. churchman and it is reliably understood that he was under considerable pressure from this source as the games have been lucrative means to coin for the churches. This is one of the things that held the decision up for more than a year.)

'The question is, does the game constitute a lottery. If so, it violates the laws of the Commonwealth. It is universally agreed that a lottery constitutes three elements. There must be a consideration, a prize, and a chance. This court is of the opinion that all three elements are present regardless of the name or place of performance.

'We feel there is present every element of the evils attendant upon mass gambling as prohibited by our laws. A simple stake concealed with the price of admission gives a chance for a prize, which may become large enough to arouse intense cupidity.'

#### Churches Too

Cleveland, April 12.

Bingo even by churches is taboo hereabouts. Chief of police has banned all games in cafes and, to be impartial, is also nixing requests from charity groups.

Screeno is out, too, but certain types of bank nights are still being okayed. Small-time operators are yipping about the injustice of it, especially after city council voted to license pin machines as a revenue-raiser. Nickel pin-and-racetrack machines flooding the town, with all spots cashing slugs, despite police ban on it.

## Danubia Picts Sued For Return of 8 Magyar Films

Danubia Pictures, Inc. and Danubia Distributing Corp. were named defendants Monday (11) in an action brought in the N. Y. supreme court by Max and Sigmund Schnur of the Astor Trading Corp., for recovery of prints of eight Hungarian motion pictures. The Schnurs claimed under a contract they gave exclusive rights to the defendants to distribute the pictures in the United States and Canada.

When the agreement expired, it is claimed, the Danubia outfit refused to surrender the prints, trailers and advertising matter.

## MODEL EXHIBITOR

### Metro Picks Neth of Columbus for Candid Brochure

Hollywood, April 12.

Picked by Metro as the typical American exhibitor, J. Real Neth, Columbus, O., has arrived to assume the role of the central figure in a candid camera brochure presenting the studio's production organization and activities. Booklet aimed at theatre managers will be titled 'Mr. Exhibitor Visits etro With His Candid Camera.'

Neth will remain here several weeks.

## NEGRESS' TEST SUIT VS. PAL, COLUMBUS

Columbus, April 12.

The Ohio civil liberties act will get its first local test this week in a case brought by a local Negro woman against the cashier of the RKO-Palace theatre. Statute, added to the state code in 1936, specifically provides that no person shall be barred from a theatre because of color.

Dorothy Carr, Palace cashier, posted $200 bond after her arrest on a warrant sworn out by Dr. Alberta Turner, Negro Ph.D. Dr. Turner, former Wilberforce University teacher and writer for a local Negro weekly, charged the cashier refused to sell her a ticket for 'Mad About Music.'

According to the police prosecutor, the Palace cashiers and ushers have been instructed to tell Negroes attempting to buy tickets that 'your people do not patronize this theatre.'

Offense carries a penalty of 30-90 days and a fine of $50 to $500.

## INT'L CINEMA WASHUP ORDERED BY L. A. COURT

Hollywood, April 12.

Responding to a plea by unsecured creditors, Federal Judge Paul McCormick has ordered liquidation of the assets of International Cinema, Inc., indie film laboratory, which filed under 77B two months ago. Court upheld the argument of the creditors that present conditions in the independent production field would not permit the plant to operate at a profit, even though the company was re-financed through a new stock issue.

General unsecured claims against International include those of C. King Charney, Inc.; Smith & Aller, Ltd., and J. E. Brulatour; totaling $126,563. Total obligations of the lab are listed at $259,482, plus 500,000 shares of $1 par value common stock.

Grand National owes the bankrupt outfit $81,000.

## Rockefeller-Gaxton's Benefit Talent Quest

Hollywood, April 12.

William Gaxton and Winthrop Rockefeller are here contacting film studio heads and top personalities in their search for talent for the N. Y. Mid-Town Business en's Association charity benefit, to be staged May 11 in Madison Square Garden, N. Y.

Co-operation of most of the major plants has been assured.

## Hirsch-Kulick Take On Malcolm Browne Prod.

Initial distribution deal by Malcolm Browne Pictures Corp. was signatured this week when Melvin Hirsch and Bert Kulick signed up the entire 1938-39 program for the N. Y. territory.

Other pacts for full line of 20 features will be made in principal key centers in next few weeks.

## Free Film Shows by Advertisers May Curb Newsreel House at Fair

### Heatter and Par Part; Several Minor Letouts

Paramount News has terminated with Gabriel Heatter, commentator, who joined about six months ago under a contract for one year, with two options. The contract was cancelled amicably, without any cash settlement involved. Fred Fox, on the desk at Par News, has also resigned, together with a couple of lessers in this branch of Par activity.

Wells Bruin, brought up from Florida about a year ago by the publicity department, has also resigned. In addition some secretaries have been dropped, plus a screening room operator.

Hollywood, April 12.

Frank Vreeland, member of the Paramount studio story board, has gone off the payroll.

He came out here about two years ago after having served in the Par h.o. publicity department and later as a member of the N. Y. editorial staff.

## YATES' $902,100 MORE IN REPUBLIC IN 1937

Both Herbert Yates and his Consolidated Films laboratory will continue actively interested in the future of Republic Pictures, it was disclosed this week. Confidence that Consolidated has in the film company was plainly indicated by its investment of $902,100 in new Republic stock during 1937. Placing of James R. Grainger, former sales chief of Universal, in presidency, was part of plans to step up sales and development of the corporation's future.' Grainger will be officially installed June 1.

Republic showed income of $4,076,102 in 1937, and officials expect this figure to be topped this year despite the biz recession. Popularity of Gene Autry westerns and serials have brought the company more into limelight both in east as well as in the west.

Hollywood, April 12.

Republic Pictures holds its annual sales convention at Roosevelt hotel here on May 2-5. J. R. Grainger, new president, will come here from New York after a huddle with other executives before starting his first year with the company.

Charles Ford, former Universal newsreel editor-in-chief, now is in charge of all western and serial producing for Republic Productions, which is headed by M. J. Siegel. Ford was signatured by Siegel shortly after he resigned from U.

## Metro Takes Over 'Gang' Producing from Roach

Hollywood, April 12.

Metro has taken over the actual production of Our Gang Comedies, long an important part of the output of the Hal Roach studios. Shift is effective upon the completion of one now in work at the Roach plant.

Gordon Douglas, who has been directing the series, will move over to the Metro lot along with the moppets. Future films will be made under guidance of Jack Chertok, in charge of Metro's shorts department.

#### 'Union Pacific' Research

Lincoln, April 12.

Representatives of Cecil B. DeMille were at York, Neb., this week, visiting Robert V. Grewell, 91, to get some first hand information for DeMille's new picture 'Union Pacific.'

Grewell is the last surviving witness of the driving of the golden spike at Promontory Point, Utah, in May, 1869, which marked the completion of the road and the linking of the two continents.

Plans for a giant newsreel theatre on the N. Y. World's Fair grounds are being mulled by several companies now having successful operations in Manhattan. Tentatively outlined as a drop-in spot to serve as a source of entertainment and resting place for foot-weary fair visitors. Urge for present move is to cash in on what newsreel veterans feel sure will be a $62,000,000 gate in first 13 months.

Obstacles as viewed presently are proposals of most industrial companies to run free shows ballying their product and belief that gratis film exhibitions by educational crowd might handicap box office.

In interim, expo officials plan waiting until the last minute to set pacts for new or novel shows and exhibits on midway. However, general pattern is expected to be much the same as in other 'world fairs,' most recent big one of which was Chicago's. Chance is good that 'Battle of Gettysburg,' ancient money-maker show, which went into Chicago, may find a spot in New York's exposition amusement zone.

Question of nudity and dancing shows probably will receive more liberal treatment than in Chicago. However, so-called 'blowoff' performance doubtlessly will get the same roughshod handling given those at Great Lakes exposition. Fact that the N. Y. fair is being launched with two years duration in view probably has something to do with plans to array amusement zone spots so they will not be 'one-visit' affairs.

Present inclination to go for Shakespeare and arty dramatics at the 1939 exposition is based on the standup business done by Shakespearean performances in Chicago's English village.

Manhattan's hotels already are laying plans for the N. Y. fair. Many hostelries already are writing leases so that they don't extend past April, 1939. Hotel men bluntly tell patrons that different day rates will prevail then and they want all space available for fair crowds.

## IMPERIAL PICTS' STOCK ISSUE OF $637,500 OK'D

Washington, April 12.

Stock sale of Imperial Pictures was made possible Saturday (9) when Securities & Exchange announced registration papers covering 425,000 shares of $1 par common have become effective.

Way was cleared for the new firm to raise money to pay off old debts, finance production and amass working capital through marketing of tickets to the public at $1.50. Document, outlining terms on which A. R. Titus & Co. will peddle $637,500 worth of ducats, originally was filed Jan. 14.

### Garfield at Warners

Hollywood, April 12.

Jules Garfield, who has been playing in the Broadway production of 'Golden Boy,' is due here late this week under contract to Warners.

Draws role in 'Because of a Man' as his first screen assignment.

#### PRISONERS SONG

Hollywood, April 12.

Arthur Lubin has been named to direct Universal's 'The Walls of San Quentin,' which gets going first week in May.

rem Carr will produce.

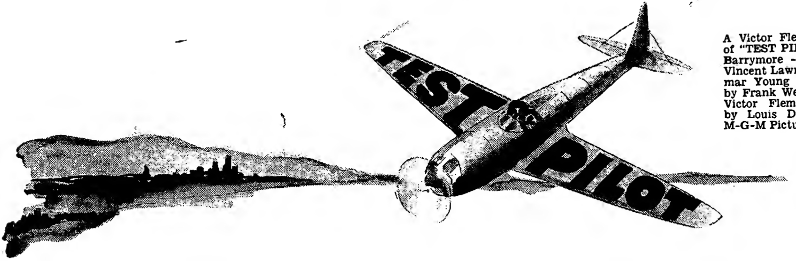
#### THE GAME'S ON

Hollywood, April 12.

Bert Granet has completed the script for 'Mr. Doodle Kicks Off,' which RKO will film with Joe Penner in the title role. Mark Kelly wrote the original.

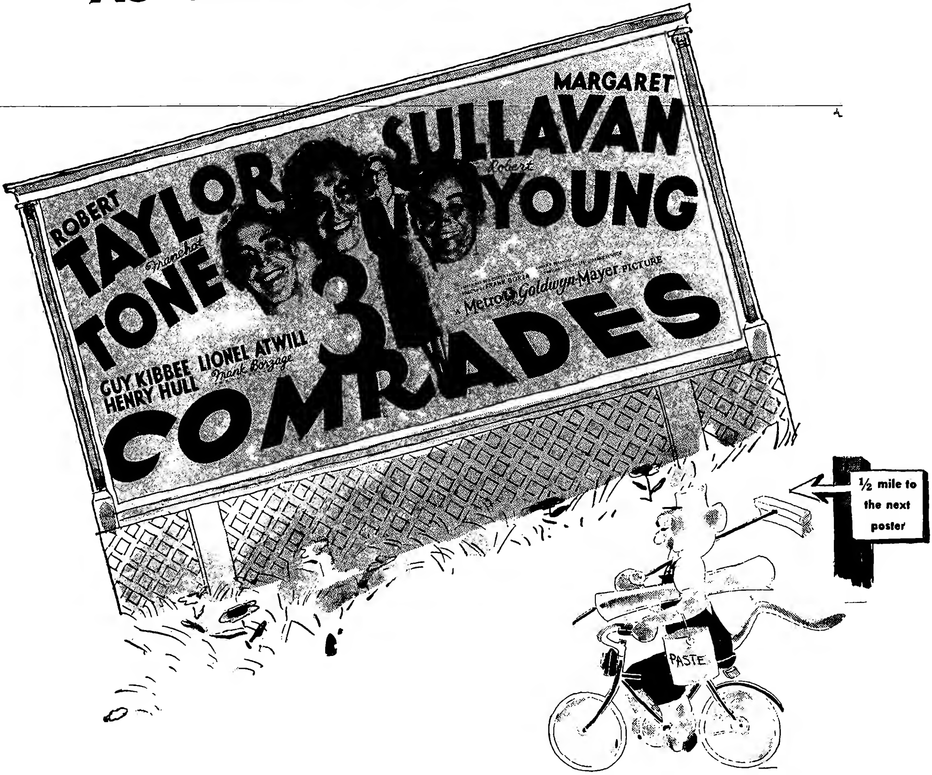
Robert Sisk will produce.

# GABLE LOY TRACY



A Victor Fleming Production of "TEST PILOT" with Lionel Barrymore - Screen Play by Vincent Lawrence and Waldemar Young - Original Story by Frank Wead - Directed by Victor Fleming - Produced by Louis D. Lighton - An M-G-M Picture.

# METRO-GOLDWYN-MAYER AS GREAT AS ALL OUTDOORS



# FILM BOOKING CHART

*(For information of theatre and film exchange bookers,* VARIETY *presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of the reviews as given in* VARIETY *and the running time of prints are included.)*

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| WEEK OF RELEASE | TITLE | PRODUCER | DISTRIB. | TYPE | TALENT | DIRECTOR | TIME MINS. | WHEN REVIEWED BY VARIETY |
|---|---|---|---|---|---|---|---|---|
| 1/28/38 | PARADISE FOR THREE | S. Zimbalist | MGM | Comedy | F. Morgan-F. Rice-R. Young | Eddie Buzzell | 75 | 1/19 |
| | PARTNERS OF PLAINS | Harry Sherman | Par | Western | W. Boyd-Gwen Gaze | Les Selander | 70 | 2/16 |
| | THE PURPLE VIGILANTES | Sol C. Siegel | Rep | Western | Three Mesquiteers | George Sherman | 50 | 2/2 |
| | THE OLD BARN DANCE | Sol C. Siegel | Rep | Western | Gene Autry-S. Burnette | Joseph Kane | 60 | 1/12 |
| | HAPPY LANDING | D. Hempstead | 20th | Musical | S. Henie-D. Ameche | Roy Del Ruth | 102 | 1/26 |
| | BLACK DOLL | Irving Starr | U | Mystery | N. Grey-D. Woods-E. Kennedy | O. H. P. Garrett | 60 | 2/9 |
| | SWING YOUR LADY | Sam Bischoff | WB | Comedy | H. Bogart-L. Fazenda | Ray Enright | 72 | 1/26 |
| 2/4/38 | WIFE OF GENERAL LING | John Stafford | GB | Drama | G. Jones-A. Renn | Ladislaus Vajda | 71 | 2/23 |
| | SPIRIT OF YOUTH | Lew Golder | GN | Action | Joe Louis-C. Muse-E. M. Harris | Harry Fraser | 66 | 1/5 |
| | EVERYBODY SING | Harry Rapf | MGM | Musical | F. Brice-A. Jones-J. Garland | E. L. Marin | 80 | 1/26 |
| | WHERE WEST BEGINS | Maurice Conn | Mono | Western | J. Randall | J. P. McGowan | 56 | 3/23 |
| | THE BUCCANEER | C. B. de Mille | Par | Drama | F. March-F. Gaal-A. Tamiroff | C. B. de Mille | 124 | 1/12 |
| | DOUBLE DANGER | Maury Cohen | RKO | Meller | P. Foster-W. Bourne-D. Meek | Lew Landers | 62 | 2/16 |
| | OUTSIDE OF PARADISE | Harry Sauber | Rep | Comedy | P. Regan-P. Singleton | John H. Auer | 60 | 2/16 |
| | INTERNATIONAL SETTLEMENT | 20th | 20th | Drama | C. Romero-V. Field-J. Lang | E. Forde | 75 | 1/26 |
| | GOLDWYN FOLLIES | S. Goldwyn | UA | Musical | E. Bergen-Zorina-A. Menjou | Geo. Marshall | 115 | 2/2 |
| | MIDNIGHT INTRUDER | Trem Carr | U | Meller | B. Reed-L. Hayward | L. Lubin | 66 | 2/23 |
| | BLONDES AT WORK | Bryan Foy | WB | Comedy | B. MacLane-G. Farrell | F. McDonald | 63 | 3/16 |
| 2/11/38 | LITTLE MISS ROUGHNECK | W. MacDonald | Col | Com-Rom | E. Fellows-L. Carrillo | Aubrey Scotto | 64 | 3/9 |
| | CATTLE RAIDERS | H. L. Decker | Col | Western | C. Starrett-D. Grayson | Sam Nelson | | |
| | OF HUMAN HEARTS | J. Considine, Jr. | MGM | Drama | W. Huston-B. Bondi | Clarence Brown | 100 | 2/9 |
| | MY OLD KENTUCKY HOME | E. B. Derr | Mono | Com-Dr | E. Venable-G. Richards | L. Hillyer | 78 | 2/9 |
| | SCANDAL STREET | Par | Par | Comedy | L. Ayres-L. Campbell | James Hogan | 63 | 2/8 |
| | CHECKERS | John Stone | 20th | Rom-Com | Withers-S. Erwin-U. Merkel | H.B.Humberstone | 79 | 12/8 |
| | ADVENTURES OF TOM SAWYER | D. O. Selznick | UA | Com-Dr | T. Kelly-M. Robson | Norman Taurog | 93 | 2/16 |
| | FORBIDDEN VALLEY | Henry Macrae | U | Outdoor | N. Beery, Jr.-R. Barrat | W. Gittens | 68 | 4/30 |
| | KID COMES BACK | Bryan Foy | WB | Drama | W. Morris-J. Travis | B. R. Eason | 61 | 12/ |
| | DAREDEVIL DRIVERS | Bryan Foy | WB | Action | D. Purcell-B. Roberts | B. R. Eason | 60 | 3/2 |
| 2/18/38 | WIDE OPEN FACES | David Loew | Col | Comedy | Joe E. Brown-J. Wyman | Kurt Newman | | |
| | THE GIRL WAS YOUNG | GB | GB | Com-Dr | N. Pilbeam-D. DeMarney | Alf Hitchcock | 84 | 12/8 |
| | A YANK AT OXFORD | Michael Balcon | MGM | Comedy | R. Taylor-L. Barrymore | Jack Conway | 100 | 2/2 |
| | PAINTED TRAIL | Robert Emmett | Mono | Western | Tom Keene | Robert Hill | 50 | |
| | BIG BROADCAST '38 | H. Thompson | Par | Musical | W. C. Fields-Raye-Lamour | Mitch Leisen | 90 | 2/9 |
| | BRINGING UP BABY | Cliff Reid | RKO | Rom-Com | K. Hepburn-C. Grant | Howard Hawks | 102 | 2/16 |
| | BARONESS AND BUTLER | Ray Griffith | 20th | Rom-Dr | Annabella-Wm. Powell | Walter Lang | 75 | 2/16 |
| | GOLD IS WHERE YOU FIND IT | Sam Bischoff | WB | Outdoor | G. Brent-C. Rains-J. Litel | M. Curtiz | 90 | 2/16 |
| 2/25/38 | WHO KILLED GAIL PRESTON? | Ralph Cohn | Col | Mystery | W. Cahoon-D. Terry | Leon Barsha | 60 | 3/9 |
| | ARSENE LUPIN RETURNS | John W. Considine | MGM | Meller | M. Douglas-W. William | G. Fitzmaurice | 82 | 2/23 |
| | PORT OF MISSING GIRLS | Lon Young | Mono | Drama | J. Allen-M. Stone | Karl Brown | 60 | 4/6 |
| | CASSIDY OF BAR 20 | Harry Sherman | Par | Western | W. Boyd-N. Lane | Les Selander | 60 | 3/30 |
| | NIGHT SPOT | Robt. Sisk | RKO | Com-Dr | Parkyakarkus-A. Lane | Christy Cabanne | 60 | 3/30 |
| | HOLLYWOOD STADIUM MYSTERY | A. Schaefer | Rep | Meller | N. Hamilton-E. Venable | David Howard | 66 | 3/2 |
| | LOVE ON A BUDGET | Max Golden | 20th | Comedy | J. Prouty-S. Byington | Bert Lenny | 60 | 1/12 |
| | STORM IN A TEACUP | A. Korda | UA | Comedy | V. Leigh-R. Harrison | Victor Saville | 80 | 8/9 |
| | PENROD AND TWIN BROTHER | Bryan Foy | WB | Com-Dr | Mauch Twins | Wm. McGann | 62 | 1/12 |
| 3/4/38 | ROLLING CARAVANS | Col | Col | Western | J. Luden-E. Stewart | Jos. Levering | | |
| | START CHEERING | Nat Perrin | Col | Musical | W. Connolly-Durante-J. Perry | A. S. Rogell | 78 | 2/9 |
| | TO THE VICTOR | Maurice Ostrer | GB | Rom-Dr | W. Fyffe-J. Loder-M. Lockwood | Robt. Stevenson | 78 | 2/2 |
| | MERRILY WE LIVE | Hal Roach | MGM | Comedy | C. Bennett-B. Burke-P. Kelly | N. Z. McLeod | 96 | 3/2 |
| | ROMANCE IN DARK | Harlan Thompson | Par | Musical | G. Swarthout-J. Boles | H. C. Potter | 77 | 2/16 |
| | MAID'S NIGHT OFF | Robert Sisk | RKO | Rom-Dr | A. Lane-J. Fontaine | Ben Holmes | 60 | |
| | PRISON NURSE | Herman Schlom | Rep | Meller | H. Wilcoxon-M. Marsh | James Cruze | 67 | 3/9 |
| | SALLY, IRENE AND MARY | Gene Markey | 20th | Musical | A. Faye-F. Allen-J. Lang | Wm. Seiter | 86 | 3/2 |
| | ADVENTURES MARCO POLO | Sam Goldwyn | UA | Drama | G. Cooper-B. Rathbone | Norman Taurog | 100 | 2/16 |
| | MAD ABOUT MUSIC | J. Pasternak | U | Musical | D. Durbin-H. Marshall | Norman Taurog | 98 | 3/2 |
| | SLIGHT CASE OF MURDER | Sam Bischoff | WB | Meller | E. G. Robinson-J. Bryan | Lloyd Bacon | 85 | 2/9 |
| 3/11/38 | MAKING THE HEADLINES | Col | Col | Rom-Dr | J. Holt-B. Roberts | Lewis D. Collins | 66 | 3/23 |
| | THE FIRST HUNDRED YEARS | Norman Krasna | MGM | Com-Dr | R. Montgomery-V. Bruce | Dick Thorpe | 75 | 3/16 |
| | ROSE OF RIO GRANDE | Dorothy Reid | Mono | Rom-Dr | Movita-John Carroll | Wm. Nigh | 60 | |
| | DANGEROUS TO KNOW | Par | Par | Meller | G. Patrick-A. M. Wong | Robert Florey | 68 | 3/16 |
| | HAWAII CALLS | Sol Lesser | RKO | Rom-Com | B. Breen-I. S. Cobb | Edward Cline | 78 | 3/2 |
| | CALL THE MESQUITEERS | Wm. Berke | Rep | Western | 3 Mesquiteers | John English | 55 | 3/2 |
| | WALKING DOWN BROADWAY | Sol Wurtzel | 20th | Com-Dr | C. Trevor-P. Brooks | N. Foster | 76 | 2/2 |
| | CRIME OF DR. HALLET | Ed Grainger | U | Mystery | R. Bellamy-B. Read | Sylvan Simon | 65 | 3/16 |
| | LOVE, HONOR AND BEHAVE | Lou Edelman | WB | Com-Dr | W. Morris-P. Lane | Stanley Logan | 68 | 2/16 |
| 3/18/38 | SAILING ALONG | GB | GB | Musical | J. Matthews-J. Whiting | Sonnie Hale | 94 | 2/9 |
| | GIRL OF GOLDEN WEST | Wm. A. McGuire | MGM | Musical | J. MacDonald-N. Eddy | R. Z. Leonard | 120 | 3/16 |
| | BULLDOG DRUMMOND'S PERIL | Par | Par | Mystery | J. Barrymore-L. Campbell | Jas. Hogan | 66 | |
| | CONDEMNED WOMEN | Robert Sisk | RKO | Drama | S. Eilers-L. Hayward | Lew Landers | 77 | 3/ |
| | KING OF NEWSBOYS | V. Morehouse | Rep | Rom-Dr | L. Ayres-H. Mack | V. Morehouse | 68 | 3/ |
| | REBECCA OF SUNNYBROOK FARM | Ray Griffith | 20th | Rom-Com | S. Temple-R. Scott | Norman Foster | 80 | 3/ |
| | THE GAIETY GIRLS | A. Korda | UA | Musical | J. Hulbert-P. Ellis | T. Freeland | 72 | 3/ |
| | NIGHT CLUB HOSTESS | W. Mycroft | U | Rom-Dr | B. Rogers-J. Clyde | Graham Cutts | | |
| | STATE POLICE | Trem Carr | U | Action | J. King-C. Moore | John Rawlins | | |
| | HE COULDN'T SAY NO | Bryan Foy | WB | Comedy | F. McHugh-J. Wyman | Lew Seiler | 57 | 4/6 |
| 3/25/38 | LONE WOLF IN PARIS | W. MacDonald | Col | Mystery | F. Lederer-F. Drake | Al S. Rogell | | |
| | JUDGE HARDY'S CHILDREN | MGM | MGM | Com-Dr. | L. Stone-M. Rooney-C. Parker | Geo. Seitz | 102 | 4/6 |
| | ARSON GANGBUSTERS | Herman Schlom | Rep | Meller | J. LaRue-B. Livingston | Joe Kane | | |
| | MR. MOTO TAKES CHANCE | Sol Wurtzel | 20th | Mystery | L. Lorre-R. Hudson | Norman Foster | 60 | |
| | JEZEBEL | Henry Blanke | WB | Drama | B. Davis-H. Fonda-G. Brent | Wm. Wyler | 100 | 3/16 |
| 4/1/38 | WHEN G-MEN STEP IN | W. MacDonald | Col | Meller | D. Terry-R. Paige-J. Wells | C. C. Coleman, Jr. | 60 | 3/16 |
| | FLOATING CITY | Erich Pommer | GB | Drama | L. Fenton-C. Veldt | Karl Hartl | | |
| | LAND OF FIGHTING MEN | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Alan James | | |
| | TIP-OFF GIRLS | Par | Par | Meller | L. Nolan-M. Carlisle-R. Karns | Louis King | | |
| | OUTLAWS OF SONORA | Wm. Berke | Rep | Western | 3 Mesquiteers-J. Joyce | Geo. Sherman | | |
| | JOSETTE | Gene Markey | 20th | Musical | S. Simon-D. Ameche-B. Lahr | Allan Dwan | | |
| | GOODBYE, BROADWAY | Ed Grainger | U | Com-Rom | C. Winninger-A. Brady-T. Brown | Ray McCarey | 65 | |
| | ISLAND IN THE SKY | Sol Wurtzel | 20th | Meller | G. Stuart-M. Whalen | Herbert Leeds | 62 | 3/16 |
| 4/8/38 | FEMALE FUGITIVE | E. B. Derr | Mono | Meller | E. Venable-C. Reynolds | Wm. Nigh | 60 | 4/13 |
| | IT COULDN'T HAPPEN AGAIN | Cliff Reid | RKO | Drama | V. Moore-A. Lane | Christy Cabanne | | |
| | CAPITAL PUNISHMENT | John H. Auer | Rep | Rom-Dr | A. Marshall-T. Birell | John H. Auer | | |
| | RAWHIDE | Sol Lesser | 20th | Western | S. Ballew-E. Knapp | Ray Taylor | 60 | 4/6 |
| | RECKLESS LIVING | Val Paul | U | Com-Dr. | N. Grey-R. Wilcox-J. Savo | F. MacDonald | | |
| | WOMEN ARE LIKE THAT | Robt. Lord | WB | Com-Rom | K. Francis-P. O'Brien | Stanley Logan | 78 | 4/13 |
| 4/15/38 | FLIGHT INTO NOWHERE | Col | Col | Meller | J. Holt-J. Wells | Louis D. Collins | 62 | |
| | THE SHOW GOES ON | H. Wilcox | GB | Rom-Dr. | A. Neagle-T. Carminati | H. Wilcox | | |
| | TEST PILOT | Louis Lighton | MGM | Rom-Dr | C. Gable-S. Tracy-M. Loy | Vic Fleming | | |
| | HER JUNGLE LOVE | Geo. Arthur | Par | Rom-Dr | D. Lamour-R. Milland | G. Archainbaud | | |
| | JOY OF LIVING | Felix Young | RKO | Comedy | I. Dunne-D. Fairbanks, Jr. | Tay Garnett | | |
| | IN OLD CHICAGO | K. MacGowan | 20th | Drama | T. Power-A. Faye-Ameche | Henry King | | |
| | DIVORCE OF LADY X | Alex. Korda | UA | Rom-Dr | M. Oberon-L. Olivier | Tim Whelan | | |
| | NURSE FROM BROOKLYN | Ed. Grainger | U | Drama | S. Eilers-C. Kelly | Sylvan Simon | | |
| | FOOLS FOR SCANDAL | Mervyn LeRoy | WB | Rom-Com | C. Lombard-F. Gravet | Mervyn LeRoy | | |
| | UNDER WESTERN STARS | Sol C. Siegel | Rep | Western | R. Rogers-S. Burnette | Joe Kane | | |
| 4/22/38 | THERE'S ALWAYS A WOMAN | Wm. Perlberg | Col | Comedy | J. Blondell-M. Douglas | Alex Hall | 82 | |
| | HEART OF ARIZONA | Harry Sherman | Par | Western | W. Boyd-G. Hayes | Les Selander | | |
| | GO CHASE YOURSELF | Bob Sisk | RKO | Comedy | J. Penner-L. Ball | Edw. Cline | 70 | |
| | THE FEUD MAKER | A. W. Hackel | Rep | Western | B. Steele-M. Weldon | Sam Newfield | | |
| | LADY IN THE MORGUE | Irving Starr | U | Mystery | P. Foster-P. Ellis | Otis Garrett | | |
| | ACCIDENTS WILL HAPPEN | Bryan Foy | WB | Com-Meller | R. Reagan-G. Blondell | Arthur Lubin | | |
| | BATTLE OF BROADWAY | Sol Wurtzel | 20th | Comedy | V. McLaglen-E. Muir | Geo. Marshall | 82 | |
| 4/29/38 | CALL OF THE ROCKIES | H. L. Decker | Col | Western | C. Starrett-I. Meredith | Allen James | | |
| | SWISS MISS | Hal Roach | MGM | Comedy | S. Laurel-O. Hardy | John G. Blystone | | |
| | COLLEGE SWING | Lewis Gensler | Par | Musical | M. Raye-Burns and Allen | Raoul Walsh | | |
| | RETURN OF SCARLET PIMPERNEL | Alex. Korda | UA | Drama | Stewart-B. Barnes-M. Scott | Hans Schwartz | | |
| | BELOVED BRAT | Bryan Foy | WB | Com-Dr | B. Granville-D. Costello | Arthur Lubin | | |
| | GUNSMOKE TRAIL | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Sam Newfield | | |
| | FOUR MEN AND A PRAYER | K. MacGowan | 20th | Rom-Dr | L. Young-R. Greene | John Ford | | |
| 5/6/38 | THE MAIN EVENT | Ralph Cohn | Col | Mystery | R. Paige-J. Wells | Danny Dare | | |
| | THREE COMRADES | J. Manckiewicz | MGM | Drama | R. Taylor-M. Sullavan-Tone | F. Borzage | | |
| | DOCTOR RHYTHM | Emanuel Cohen | Par | Musical | B. Crosby-M. Carlisle | Frank Tuttle | | |
| | LAW OF THE UNDERWORLD | Bob Sisk | RKO | Meller | C. Morris-A. Shirley | Lew Landers | | |
| | SINNERS IN PARADISE | Ken Goldsmith | U | Drama | J. Boles-M. Evans | Jas. Whale | | |
| | KENTUCKY MOONSHINE | K. MacGowan | 20th | Musical | Ritz Bros.-T. Martin | David Butler | 60 | |
| 5/13/38 | LAW OF THE PLAINS | Col | Col | Western | C. Starrett-J. Meredith | Sam Nelson | | |
| | HOLD THAT KISS | J. Considine, Jr. | MGM | Comedy | D. O'Keefe-M. O'Sullivan | E. L. Marin | | |
| | PHANTOM RANGER | Maurice Conn | Mono | Western | T. McCoy-S. Karren | Sam Newfield | | |
| | STOLEN HEAVEN | Par | Par | Rom-Dr | G. Raymond-O. Bradna | Andrew Stone | | |
| | VIVACIOUS LADY | P. S. Berman | RKO | Rom-Dr | G. Rogers-J. Stewart | Geo. Stevens | | |
| | AIR DEVILS | Trem Carr | U | Action | R. Wallace-B. Blake | John Rawlins | | |

PARAMOUNT NEWS

# "COLLEGE SWING" PAR. B.O. SMASH

Gracie says even teacher's pet so why can't Georgie.

Martha Raye & Ben Blue listen carefully to a college lecture.

Martha Raye & Bob Hope go in for Higher Yearning.

## CRITICS AND EXHIBITORS SEE HIT IN PARAMOUNT SWING CRAZE MUSICAL

Hollywood, Cal., April 12.

West Coast critics, pre-view audiences, promotion - minded exhibs are chcering Paramount's "Collcge Swing" as definite box-office click. Belief is Paramount has copped gold in present craze for swing music, planned sure fire method of getting swing fans (which mcans practically everybody these days) into theatre.

Paramount has been generous with big names . . . Burns and Allen, Martha Raye and Bob Hope, Edward Everett Horton, Ben Blue, Jackie Coogan and Betty Grable, John Payne and Florence George. Also generous with production was Paramount, putting plenty of saleables into picture, giving director's baton to expert Raoul Walsh.

## Big Apple Finally Makes Big Time As Martha Raye Turns Jitterbug

Hollywood, Cal., April 12.

Martha Raye, the little girl with the big personality, has joined the jitterbugs (swing fans) and in "College Swing" shows that swing is here to sway with Martha Raye. With Bob Hope as a teammate Martha slaughters a brand new swing number "How'dja Like to Love Me." "College Swing", by the way has more tunes than any musical picture ever screened . . . and Martha (who ought to know) claims they sing fine.

## GRACIE ALLEN CLAIMS A.B.C.'S NOODLE SOUP TO HER AND HOW...

Alden, Mass., April 12.

Board of Trustees of Alden College, local brain mart and setting for Paramount's "College Swing", today presented Gracie Allen with special diploma as reward for spending one hundred years in freshman class. Alden College prexy in handing Gracie diploma stated, "In education as in all other forms of endeavor, the first hundred years are the hardest. I am sure that with another few centuries of rigid application to her work, Miss Allen will be able to master the multiplication table."

Quipped Gracie, "College presidents say the cutest things, he should live so long." Quipped George Burns, "Stop it, Graci ."

Spring Prom is a Swing Prom at good old Alden College.

Singing Sweethearts of Hidehi (Martha and Bob)

Betty Grable & Jackie Coogan give teacher a Big Apple.

## CHECKUP SHOWS SWING MUSIC MOUNTING DAILY IN POPULAR APPEAL

That nation's craze for swing music is mounting daily is evidenced by systematic checkup made recently by national broadcasters. Swing music apparently is still ace coin getter. And those who wish to capitalize on mania had better get aboard the swing band wagon.

Analysis of swing fans shows craze is not limited to any age, type, or locality. The oldsters like their swing just as much as young folks. Paramount in issuing "College Swing", new bigtime musical, has timed release perfectly to catch craze on upbeat. This is first important Hollywood release to center story, production, and entire promotional effort on swing craze.

"COLLEGE SWING" with George Burns and Gracie Allen · Martha Raye
Bob Hope · Edward Everett Horton · Ben Blue · Betty Grable · Jackie Coogan · Florence George · John Payne · Robert Cummings · Skinnay Ennis · The Slate Brothers · A Paramount Picture
Directed by Raoul Walsh · Screen Play by Walter DeLeon and Francis Martin · Based on Adaptation by Frederick Hazlitt Brennan of an Idea by Ted Lesser

(Advertisement)

# 4TH VARIETY CLUBS CONV. LOOKS SRO

Cincinnati, April 12.

Reservations for the banquet of the fourth annual convention of the Variety Clubs of America at the Netherlands Plaza hotel April 24 assure heavy attendance by execs of major and indie film producing companies, according to Allan S. Moritz, chairman. Accommodations have also been requested by heads of numerous prominent firms allied with the picture industry.

Tariff for the shindig will be $10 for the dinner and entertainment, a stag and dress affair. James J. Grady in charge of ticket sales predicts advance sellout for hall's capacity of 800.

The address of John H. Harris, national chief barker, of Pittsburgh, Pa., will be broadcast by station WLW and probably extended to the NBC network. Other speakers lined up so far include Senator Alben W. Barkley (Kentucky); Senator Robert J. Buckley (Ohio); former Governor Harold Hoffman (New Jersey); Governor Nice (Maryland); Governor A. B. (Happy) Chandler (Kentucky).

Only talent name made known so far by Col. Arthur Frudenfeld, in charge of entertainment, is Lew Lehr, newsreel comic. He promises to trot out screen, stage and radio celebs when show gets going.

### Spears Heads Jolly Club

Atlanta, April 12.

Harold Spears, manager for Tom Bailey's chain of colored theatres, was elected prez of Jolly Club, film row's charitable-social organization, at annual meeting held last week. Other officers are George Jones, Republic Exchange, v.p.; A. C. Cowles, booker for Lucas & Jenkins' theatres, sec.; Tom Lucy, Metro treasurer.

## *$20,000,000 Business*

(Continued from page 1)

distribution or actual producing. Firms with theatre affiliations would be certain of swinging profitable distributing deals with already finished product because of playdates indicated.

### 130 Comm'l Film Prods.

Typical of the urge to conduct major film campaigns is the record of Chevrolet, largest in the General Motors division, which has made approximately 65 pictures in three years. There are now about 130 commercial film producers in U. S. but only about 18 are considered of any considerable consequence. Reported that about 100 commercial companies used films regularly recently though only about 80 are estimated going in for advertising subjects suitable for theatre exhibition.

Commercial films now are rated as the fourth medium of advertising by business. One important producer of these pictures claimed that it 'is possible to express shades of meaning in motion pictures that are beyond the capacities of the printed word or the spoken sales message of radio.'

Argument of newspapers, which has developed in the past when picture companies attempted making and distributing of sponsored product, that this competition is unfair to their advertising channels, might be braved the same as radio has continued its advertising programs, if industry figures the revenue is worth this risk.

Biggest difficulty today for sponsored pictures even with a disguised sales message is to obtain suitable distribution. However, payment of a certain fee for showing of such product is the only sugar needed to sway certain exhibitors into playdating the films. This method is being employed by Caravel Distributing Corp., with indications that the old 6,000 playdate mark may be topped by a thousand or more.

Two National Association off Manufacturers' subjects, 'American Marching On' and 'Frontiers of the Future,' recently played at the Embassy on Broadway. Neither could be termed advertising shorts and only ballyhoo was to create confidence in the business of the nation. Other Broadway houses have been using these and other films of this type such as films in the General Electric scientific series.

## Forecasts, Please

Hollywood, April 12.

Exhibitor acclaim accorded a series of experiments by Frank Whitbeck has caused Metro to drop the name 'trailer' from exploitation briefies and retag them 'Screen Forecasts.'

Subjects will hereafter be released as units on a program.

# Super-Chief's Sked Jazzes Up Publicity For Stars Into Chi

icago, April 12.

With the inauguration of new time schedules, which brings the crack west coast trains into Chicago in the afternoon instead of the morning, there has been a sharp drop-off of publicity breaks for picture names in the local dailies. Especially is it true of the evening papers, notably the Hearst American, which formerly used to meet all trains and gave practically every Hollywood name some sort of spread in the early editions.

But with the top trains coming in during the afternoon the P.M. papers can't get through in time to break with the pictures and stories and therefore pass 'em up entirely. The morning paper field, dominated by the Chicago Tribune, never did bother with that type of yarn.

As far as the Century and eastern trains are concerned, they are hardly covered since they bring in names which had just been through Chicago, eastbound, a couple of weeks before, and don't rate as news.

Chicago has plenty of action at its airport, but it's located so far away from the loop that the dailies can't see wasting a couple of photogs for an entire day to make the journey. Therefore, most of the airport celeb breaks are covered by the airlines which supply the dailies. Only in the case of spot news do the dailies make an actual coverage of the airfield.

Gotten so tough on publicity breaks on account of this situation that the studios are now sending personalities down to the newspaper offices for pick-up yarns. American office has been used as publicity spot for several Coast names in the past few weeks, having been visited for publicity breaks by Dick Powell, Akim Tamiroff, Edward G. Robinson, Brian Donlevy, June Lang, etc. American played up a heavy yarn on Robinson, who was photoed as 'acting city editor' of the paper.

## Film, Sound Achievements To Be Accoladed by SMPE

Top achievements in cinematography for 1937 which will be outlined to the Society of Motion Picture Engineers at the semi-annual convention this month in Washington are expected to be Agfa's high-speed pan emulsions (film), the fine-grain duplicating stocks developed by Eastman Kodak and a new sound emulsion brought out by Dupont. Meeting is a four-day affair starting April 25.

Strides taken in transmitting motion pictures by the co-axial cable between New York and Philadelphia in recent months will be outlined by H. E. Ives, of Bell Telephone labs in New York. The cable, established primarily for multiple telephone channels, also was used to test possibility of transmitting a single wide band necessary for television. Picture films were scanned at one end of line by means of a lens disk containing 240 lenses. Motion pictures sent over co-axial cable in this manner were found to be highly satisfactory.

T. T. Baker of Dufaycolor, Inc., is scheduled to describe progress made in making prints from screen-film negatives. The work of a multiplane camera, used to enhance the power and realism of animated cartoon feature films, will be explained by W. E. Garity, of Walt Disney productions, which turned out 'Snow White' with such cameras.

W. J. Albersheim, of Electrical Research Products, Inc., will outline new trends in latent image theory in application to low-intensity exposure which occurs in newsreel camera work where lighting is bad.

## TITLE CHANGES

Hollywood, April 12.

Universal forced to switch 'Hell's Angels' to 'Riot Patrol' because Warners own rights to former title.

Tag on Shirley Temple's next for 20th-Fox has been changed from 'Sunnyside Up' to 'Lucky Penny.'

## ANOTHER PHILLY STICKUP

### Fifth Holdup in Three Weeks—Keith's the Victim

Philadelphia, pril 12.

Stick-up of midtown Keith's, Thursday night made fifth film house here hit by bandits in less than three weeks. Pair of masked pistol-toters entered the house by a rear employes' door which had failed to click shut.

They accosted Walter Mitchell, electrician, in his office in the wings, relieving him of $16. While working on him, Edward Huff, the engineer, walked in. He was in overalls and had no money. Thieves, using rope picked up from the floor, tied the pair together so they couldn't hamper the getaway.

Customer-friend of the employes, however, came along as hold-up artists were leaving. He was forced into Mitchell's office and robbed of $110, a $40 watch and $44 check.

# OKLA.'S STRONG RELIGION CO-OP

Lawton, Okla., April 12.

Facilities of the Lawton theatre will be lent to pastors of the city for three hours Good Friday for union service messages in which seven local ministers will make addresses. Each minister will be allowed 12 minutes to deliver his sermon.

Theatre managements all over Oklahoma are more than leaning toward co-operation with religious organizations, especially in the smaller towns. Oklahoma is considered one of the 'strong' states as to church membership among religious circles.

Effect of church-show co-operation in recent years has been that, although individual ministers sometimes make sniping attacks on the industry, no church-sponsored anti-shows campaign has gained any headway.

### Alvin's Good Friday Shutdown

Pittsburgh, April 12.

Harris-Alvin alone among the first run spots here is going along with Catholic Diocese's appeal to theatres to keep closed until 3 p.m. on Good Friday (15). Church group recently requested Pittsburgh Theatre Managers Association as a body to take similar action but was turned down on grounds that it would 'set a bad precedent.'

Alvin, however, decided to call it a half holiday regardless of colleagues' action.

## One Par House in Blaze, Another Held Up for $110

Hamilton, O., April 12.

An early morning fire, believed to have been caused by spontaneous combustion under stage of the Paramount, headquarters of Tracy Barham, general manager Southio Theatres, Inc., last week destroyed office and records of George Fettick, district booker, the art department, dressing rooms, and considerable stage equipment. Auditorium damaged by smoke. Program for day transferred to Rialto, sister house, with Paramount reopening Wednesday evening in time for weekly sweepstakes drawing. Damage estimated at $2,000.

The Rialto was held up two days previously, when James F. Schwalm, assistant manager, donated $110 to a lone masked bandit at the point of a gun, when the stickup artist appeared in the second floor managerial offices at closing tim

Oklahoma City, April 12.

Fire believed to have been started by spontaneous combustion did approximately $1,000 in damage to the Amuse-U theatre at Cordell.

The stage of the Cozy at Wagoner was damaged when fire started from a basket of trash.

## STORY BUYS

Hollywood, April 12.

Franz Schulz and Kurt Siodmak sold their original, ' Raid,' to Paramount.

Richard Wormser drew Colonial Pictures check for an untitled yarn.

Metro acquired Albert Treynor's novel, 'Dancing Co-ed,' for Eleanor Powell.

Universal bought Goldi [illegible]berg's 'Little Tough Guy.'

Maurice Hanline and Jerry O'Connor sold their tale, 'Two on the Aisle,' to Republic.

J. P. Marquard's serial, 'astle Sinister,' which ran in Colli has been taken by Metro.

# March of Time's 2-a-Month, Single Reeler, Still Mulled but Deferred

Possibility of arch of Time putting out two one-reel issues monthly instead of the present two-reel one-per-month subject, understood to have been under discussion, has been indefinitely postponed for the present because of business conditions. Idea back of twice per month single reel was to bring news closer to date of occurrence and add accounts to present list of exhibitors who might fight shy of M. of T. because of dual alignment.

The reel recently used only two topics per release presumably with the idea of sizing up possibilities of turning out two reels.

However, a summary of the situation revealed that it was essential to get a certain amount of 'production' into each subject if it did not veer too much towards being a newsreel and that this was not possible currently excepting on a monthly basis.

March of Time has about 11,000 accounts in the world market, 8,472 in the U. S. Reel is credited with having fastest play-off time of any short, it being estimated that better than 6,000 of these domestic accounts playing off within four to six weeks and that nearly 70% of the cash comes in during that time. Balance comes in within 14 weeks.

Urge to secure more business in the American market and show a substantial profit for the producers is said to be back of move to consider expansion via a bi-monthly project.

## B'way Billing

Erection of orange hued, steel picket fence for about two blocks in Times Square area to separate Broadway and Seventh avenue has theatre managers wondering if billboards will be placed on top of the barrier.

One enterprising exhibitor already is inquiring about chances of placing signs on the fence.

# PATHE'S $466,817 NET PROFIT FOR '37 YEAR

Pathe Film Corp. and subsidiaries earned net profit of $466,918 for the year ended Dec. 31, 1937, as compared with $183,953 in preceding year. The profit was equal to 70c on common shares as against only 22c shown in 1936.

Income from operations totalled $1,301,152, but expenses trimmed profit from these to $18,418. Dividends from DuPont Film Manufacturing Corp. totalled $472,500 in the year, representing Pathe's share in DuPont's approximate earnings of $1,520,000. This sum was the largest single item of profit shown in the report.

Report shows that the company invested $20,000 in Monogram Pictures Corp. in April last year and obtained a contract to provide all motion picture printing and developing work for that company for five years. Regular dividends on the $7 preferred were maintained and $400,000 bank loan was repaid before the end of the year.

## Bill Tubbert's Crackup

Syracuse, April 12.

William J. Tubbert, northern New York district head for Schine, suffered severe chest injuries and a fractured thumb as result of his car crashing. He was riding in with a Malone (N. Y.) house manager at the wheel. Car crashed a tree after skidding off the highway just outside of Malone. Tubbert is still confined to Malone General hospital for X-rays to determine any internal injuries.

Tubbert makes headquarters out of Watertown, covering entire northern New York country houses for Schine.

## New Theatres

Charlotte, N. C.

Ben Reeves and Russell Barr will start construction immediately on a new and modern theatre building at West Jefferson.

Ocean City, N. J.

Strand Theatre Co. will build a new 1,500-seater here to replace one which recently burned down. Armand D. Carroll architecting.

Salt Lake City.

Joe Lawrence, who owns the Rialto, State and Southeast in town, plans to build a $50,000 theatre in Murray, Utah, ready for occupancy about July 15.

Cleveland, Okla.

Theatre patrons of this town have two new houses to pick from, both opened the same week. V. A. Walker and J. A. Warren opened their Pix on Thursday, and A. R. Bender opened his ower the following Saturday.

## STUDIO CONTRACTS

Hollywood, April 12.

Warners handed John Farrow a new directorial contract.

Mal St. Clair draw another year as 20th-Fox director.

Eleanore Griffin and Charles [illegible]dan re-tagged as 20th-Fox writers.

Warners lifted Vera Lewis' player option.

Robert Allen, ex-Columbia contract player, handed 20th-Fox pact.

Commander Harvey Haislip set for another term as Metro technical director.

George Hayes' option taken up by Harry Sherman.

Paramount extended the player contracts of Dolores Casey, Ruth Rogers and Philip Warren.

Mort Greene awarded term contract as etro shorts writer.

niversal signed Sam Brown scenarist.

Rosella Towne handed new player covenant by Warners.

Metro re-inked Eleanor Po

# CAROLINAS' EXHIBS CONVENE JUNE 26-28

Charlotte, N. C., April 12.

Motion picture theatre owners of the Carolinas will hold their first summer convention in nine years at the Ocean Forest hotel at Myrtle Beach, S. C., on June 26-28.

Some 200 exhibs in the two states expected to attend.

# Lehman Vetoes Bill Barring Kids from Pix

Albany, April 12.

Governor Herbert H. Lehman vetoed, without comment, the only theatrical measure passed by the Legislature at the recent session. This was the Ehrlich bill prohibiting any person, other than a parent, guardian or one authorized by them, from purchasing for or giving to a child under 16 years of age an admission ticket to motion picture theatres, except for exhibitions authorized by section 121-b of the General Municipal Law (this section was added last year in a companion act sponsored by Assemblyman Harold Ehrlich of Buffalo).

Purpose of the vetoed measure was said to be the ironing out of conflicting provisions in the present law. A change in language presumably made the bill acceptable to theatrical interests. Children's Aid Society of Buffalo strongly supported the proposal.

## Crazy Over Franchises, Or Could It Be Hosses

Los Angeles, April 12.

Ray Olmstead, Howard Stubbins and Earl Maier, Monogram franchise distributors for California, along with Mel Hulling, in charge of distribution in the San [illegible]rancisco ar[illegible], will attend Monogr[illegible]'s sale convention, opening [illegible] in [illegible]incinnati.

Coasters will train out in time to catch the Kentucky Derby in Louisville the day previous.

### CHANGE PARTNERS

Hollywood, April 12.

Harry DeShon has purchased the interest of his partner in the Harry DeShon-Abe [illegible]eller talent agency, and has taken in Capt. Charles McKenzie as an associate.

Deller joins the Ab

# PLAY YOUR COMEDY FAVORITES TO WIN!

**In blase Los Angeles* and hard-boiled New York* they tickled preview audiences laugh-weak!**

* *(Theatre names on request)*

**AUDIENCE TESTED!**

"Comedy freshness . . . Winninger and Brady dominate picture . . . pleased preview audience."
—MOTION PICTURE HERALD

"Lively didoes . . . Comedy in refreshing contrast to corkscrew variety recently dumped on market."
—MOTION PICTURE DAILY

"Alice Brady brings richest gifts . . . to portrayal . . . Winninger makes part live . . ."
—HOLLYWOOD REPORTER

"Captures all entertainment values."
—VARIETY

# "GOODBYE BROADWAY"

**IN ONE PICTURE! . . . The comedy and romantic stars of the year's greatest pictures!**

Screen Play by Roy Chanslor and A. Dorian Otvos · Based on the Broadway Stage Success by James A. Gleason

*Directed by*
RAY McCAREY

*Associate Producer*
EDMUND GRAINGER

A *New* UNIVERSAL Picture

*with*

ALICE **BRADY** CHARLES **WINNINGER**

**TOM BROWN · FRANK JENKS · DOROTHEA KENT**

RADIO'S NEWEST SENSATION **TOMMY RIGGS** and his Betty Lou

**JED PROUTY · WILLIE BEST · DONALD MEEK**

# Film Reviews

## Es Leuchten Die Sterne

(Continued from page 15)

meagre dividends. It's a revue type which connives to play hide and seek with continuity and sense until the bewildered onlooker gives up in annoyed despair.

The stars that are supposed to shine turn out to be a lot of tired tinsel that barely glitters. Dancing is unimaginative in the chorus parts, old-fashioned in the solo-squirming by La Jana, the lanky German girl, who is mistaken for a terper, and merely competent when it comes to the Swedish male tapper, Paal Roschberg.

The Scandinavian countries are further represented by the Norwegian, Fritjof Mjoen, who would do better to return to legit. And finally there is the new discovery, Vera Bergman, who plays the part of the extra who rises to stardom. But she is no luminary with little chance of becoming one.

The plus is the really first-class comedy work of Rudi Godden, with Paul Verhoeven seconding, and the unaffected performance of Ernst Fritz Fuerbringer. There are also a few effective sets in this panoramic medley, designed by Benno von Arent. Though a bit too dark at times, the lens work of Georg Krause, on the whole, is imaginative. Scripting and directing by Hans H. Zerlett shows that he really can do things.

*Trask.*

## MAGDAT KICSAPJAK

**('Magda is Expelled')**
**(HUNGARIAN MADE)**

Budapest, April 2.

Harmonia production and release. Directed by Lazlo Vajda. Scenario, Karoly Notl; adapted from Miklos Kadar's play. Produced by Ferenec Pless.

| | |
|---|---|
| agda | Ida Turay |
| Headmistress | Piri Peery |
| Teacher | Clara Tolney |
| Professor | Sandor Goth |
| Kaufman | artha Lendvay |
| Harvey | Antal Pager |
| Horvny | Georgs Nagy |
| Janitor | Gero Maly |
| Pa | Julius Gozen |

*(In Hungarian)*

One of the brightest, cleverest and most amusing pictures made in Hungarian thus far. Clever directing, shrewd casting, spirited acting, a lot of amusing gags and a pretty plot make 80 minutes' excellent entertainment.

Magda is the naughtiest 16-year-old in a commercial school for girls, always getting into scrapes. Young teacher who instructs the girls in commercial letter-writing has chosen the fictitious figure of a Mr. Harvey, manufacturer of Liverpool, to whom the pupils address their exercises in correspondence. In a moment of loneliness, the teacher herself amuses herself by pouring out her heart to the fictitious Mr. Harvey, whom she imagines as a nice young man. Magda finds this effusion and mails it, just to see what will happen, knowing that Mr. Harvey does not exist anyway. But he does. Letter is delivered to a young manufacturer of that name in Liverpool, who is so intrigued by the letter that he sets out to find the girl who wrote it. He marries the teacher; Magda is expelled, but is rewarded by finding a husband for herself, too.

Girls' school atmosphere is great fun, and Piroska Peery as headmistress and Goth as a professor are admirable. Schoolgirl part suits Ida Turay to perfection and makes up for the times she has been miscast in socialite or wordy debutante parts. Clara Tolnay has charm and distinction, even though she is not very interesting. Taking all in all, a very attractive picture.

*Jacobi.*

## SUN OVER SWEDEN

**(SWEDISH MADE)**
**(WITH SONGS)**

A. B. Europa Films production and release. Features Nils Lundell, Greta Ericson, Nils Ericsson, Inga Vetterlund, Helge Hagerman. Directed by Arne Bornebusch. Story and adaptation by Thedor Berthels; music, Eric Baumann; camera, Hilmer Ekdahl and Sven Thermaenius. At Fifth Ave. Playhouse, N. Y., week April 8, '38. Running time, 92 mins.

| | |
|---|---|
| Rut | Rut Holm |
| Nisse | Nils Lundell |
| Britta | Ericson-Hannes |
| Svante Linderholm | Nils Ericsson |
| Inga | Inga-Bodil Vetterlund |
| Mrs. Andersson | Signe Wirff |
| Bertil Lundberg | Helge Hagerman |
| Lundberg | Hugo Bjorne |
| Clergyman | Carl Browallius |

*(In Swedish, With English Titles)*

This glorified travelog is a remake of another Swedish production, turned out about a year ago. It is difficult to tell whether a third of the footage has been lifted bodily from the other feature or not. If it isn't, the directors did not deviate much from the original in remaking the film, even down to the better gags in the first try. 'Sun Over Sweden' is helped by English titles, fairly adept direction for this rambling sort of vehicle and will satisfy followers of the arty type of photographically engrossing picture. To most American audiences it will be dull. To those looking for a logical story, it will prove vapid.

Possibly the best thing that can be said for this feature is that it is an improvement over the first one. It still depends too much on the scenic aspects of three touring parties for footage. The directors and scripters have snapped up the action a bit, introduced several human interest touches and have produced a more logical ending. But the film remains a farcical jaunt over Sweden's landscape.

Thin story brings two sales girls, vacationing on bikes, together with two well-to-do young men; also touring the country for recreation. Then there is a mechanic who goes on a honeymoon at the same time, driving his truck. He also figures in the yarn, but stupidly, despite excellent clowning efforts.

Musical background by Eric Baumann is a strong point. Protography is an expert contribution. Greta Ericson and Inga Vetterlund, as the vacationing femmes; Nils Lundell, as the husky auto mechanic; Helge Hagerman and Nils Ericsson, as the two young men, are standard and familiar cinema thespians in Sweden. English titling is grotesque at several junctures, especially when it attempts slang.

*Wear.*

### Filmers' Charity Games

Hollywood, April 12.

Proceeds of annual charity softball game May 1 will go to aid German-Austrian refugees. Two games are billed, first between the screen leading men and comedians vs. Jack Daro's Alll-Star Wrestlers.

Other will be a clash of Bert Hampton's Movie Girls and the studio Casting Directors.

## HERCULE

**(FRENCH MADE)**

Paris, April 2.

Pathe Consortium Films release of Andre Aron production. Stars Fernandel; features Gaby Morlay, Jules Berry, Pierre Brasseur. Directed by Alexandre Esway. Screenplay, Carlo Rim; music, Manual Rosenthal; camera, Kelber, Perrin. At the Marivaux, Paris. Running time, 95 mins.

Cast: Fernandel, Gaby Morlay, Jules Berry, Pierre Brasseur, Jean Tissier, Henri Cremieux, Nane Germon, Denneville, Delmont, Poupon, Fels, Pizani, Dechamps.

This amusing satire with a newspaper background was obviously written for Fernandel, France's outstanding screen comedian. Story is simple but leaves room for plenty of amusing situations. It's set for big things here, where Fernandel has a big following, and is coupled for the first time with Gaby Morlay, another b.o. draw. But outside of France much of it would be lost.

Story gives Fernandel plenty of chances to play the role in which he shines, the simple-minded boy lost in the big city. Miss Morlay is only fair as his secretary. Jules Berry is his usual slick self as an unscrupulous advertising manager while Pierre Brasseur is sufficient as the young honest reporter.

Direction and story are better than the average French pic with camera work and dialog also good.

## Death Takes Flight

Hollywood, April 12.

Betty Laidlaw and Robert Lively are writing the screen play for Universal's 'Death in the Air.'

Irving Starr will produce.

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# The Girls' Eye View

(Continued from page 6)

does such nice things for her. Designers who insist on giving out with crownless brims and vice versa might take note.

### Easter a la Walt Disney

The Music Hall's opening, 'Glory of Easter,' pageant has a church interior set and presses into service everyone connected with the stage show, following an Easter custom of five years standing. Rockettes and ballet, each with flowing robe and sheaf of white flowers pose about the stage and altar, and group on the side stairs with Glee Club and soloists. Candelabra and huge single candles add to the decorative effect, and Elsie MacFarlane carries the vocal burden as soloist, among all the impressively religious Music Hall atmosphere.

Theme of the latter part of the show is an abrupt descent from the solemn with Walt Disney characters and a circus set. The idea seems to be good, but somehow it fails to jell. Perhaps dancers with faces and feet disguised just aren't very interesting for a lengthy period—and they are on quite some time.

The ballet corps are so many Mickey and Mi ie Mice and the Rockettes are 36 Donald Ducks.

Rockettes have yellow tights and web feet, blue jackets, fluffy white 'tails' and D. Duck masks. The ballet, ingeniously designed to appear as M. Mice mounted on ostriches, have black jackets, green and yellow skirts in front and ostrich feathers behind, wearing M. Mouse masks and carrying ostrich necks (with heads, of course) to complete the effect. Sounds like wholesale grotesquerie—and is.

Circus and barnyard note is further carried out with Grave Panvini, Marian Palmer and Ivy Dale as the Three Little Pigs, the Novello Bros. in the bird routine as rooster and hen, and aerialist Chrysis de la Grange as an Easter bunny.

### Roxy's Easter Motif

The Roxy's Easter flavored offering has the Gae Foster Girls in mulberry frocks, tight to the hips and flaring over ruffled white petticoats. Ostrich plumed bonnets, high-buttoned shoes and striped leg o' mutton sleeved jackets give an old-time Bowery note to the ensembles.

William Hall, although billed as the 'Screen's Romantic Song Star,' states that he has yet to sing in a picture. Finishes his song cycle with an 'Old Fashioned Girl' number, the Fosters in enormous hoop-skirted gowns in pastel yellows, green, blue and rose, grouped about a garden set for atmosphere.

Tiny Sylvia Manon, in white leotard with ruffled puff sleeves, opens as a clock pendulum. She goes from that comparatively sedentary occupation to become a human pingpong ball for Ray Borden, William Decker and Jack Yarborough. Boys wear white satin knickers, full blouses and wrapped turbans for the job of spinning Miss Manon through the air.

BERT WHEELER

HEADLINING

LOEW'S STATE

NEW YORK

LAST WEEK (APRIL 1st)

●

"VARIETY" of April 6th said:—

"HOUSE GROSSED OVER $26,000"

"That's a sweetheart if there ever wuz, $26,000"

●

Booked by
A. & S. LYONS, Inc.

Personal Management
LEO FITZGERALD

Material by HANK LADD

# EXPLOITATION

By Epes W. Sargent

### Fire Relics

Louisville.

Johnson Musselman, manager of the Fourth Ave. Amus. Co.'s Rialto, pulled out several items from his showman's oag of tricks, to make this town plenty 'Chicago' conscious. In addition to the old standbys, such as an old fire truck, which he brought out on the street, with appropriately costumed firemen, Musselman invited as his guests to see the film members of the local Fire Department.

Tie-ups were arranged with merchants on the town's main stem, and many turned over their entire window to a display of relics, photographs, etc., all reminiscent of the great Chicago conflagration. And the sweet part of the whole thing was that several local people dug in their closets and out of the way places and gladly offered to loan the articles, which consisted of photographs of old fire fighting organizations, old newspapers, and various articles which the owners stated were relics of the Chicago fire. Relics and photographs were intensely interesting to oldsters as well as the younger generation, and helped enormously in generating a desire to see the film.

New Orleans.

Rodney D. Toups, manager of Loew's State, tied-up with the Straw Hat Day activities of the Retail Trade association for an Arsene Lupin' man-hunt.

A masked 'Arsene Lupin' walked the streets of the business section for three days prior to the opening of the film, 'Arsene Lupin Returns,' and awakened considerable interest.

A $25 reward was offered for his identification by members of the Men's Wear Division of the Retail Trade association, with all the leading downtown stores participating.

After appearing masked for three days, he appeared for three additional days unmasked. The idea was for persons to identify the masked 'Arsene Lupin' without the face covering. For each day that he remained unidentified the reward jumped $25.

### WB's 'Robin Hood' Bally

Warner Bros. comes close to taking a record with its press book on 'The Adventures of Robin Hood.' It has pages (and plenty of 'em), 17x22 inches, and that's a pretty big lapful for any exhibitor to handle. It is impressive as to size, typography and color work, but it's too big for comfort.

But it has plenty of good material from all publicity angles and should be a help to sales with 11 pages of publicity, 20 pages of advertisements, exploitation and publicity ideas and a nice suggestion for an animation. Outside its awkward size it's a great book.

### Metro's Contest

Metro announces an essay contest on 'Test Pilot' for theatres playing that release. Two round trips to Hollywood top the list, with a Pilot radio set as third prize. Details are similar to those of other Metro contests, each theatre conducting its own contest and forwarding the winner to the company.

Metro also has made tie-ups with the Lionel airplane, which is billed to theatres at an inside price for purely local contests, and also offers a reproduction of the Thompson Airplane trophy for similar use. Both are moderately priced.

### efund Bally Works

San Diego.

One of the frankest exploitation campaigns given a picture was used by the Spreckles theatre in San Diego on 'Mayerling.' It brought results, too.

House advertised that the fil was in the native tongue of Charles oyer and Danielle Darriex, and that patrons would have their admission fee refunded if not entirely satisfied. There were no rebates and the house set a new record for a lull period when the fleet was away and the Lenten season on.

### One Lucky Kid

Lincoln.

Bob Huffman, manager of the Lincoln theatre corporation, was the originator of a smooth publicity stunt for Monogram's Jacky Cooper pic, 'Boy of the Streets.'

Huffman formed a committee of three composed of himself, manager of the Lincoln hotel, and radio station man er of KFOR, which went to center of downtown Lincoln and picked the first lad to turn their corner, tagging him 'Lincoln's Boy of the Street.' Lucky kid was given $100 in merchandise by local merchants, a dinner in his honor, and was even honorary governor of the state for a day.

### ustling in Okla.

Oklahoma City.

Oklahoma theatre managers are going in for almost all types of promotion in attempts to hypo dwindling b. o. receipts.

The old standby cooking school is making the rounds, generally under the sponsorship of the local theatre and newspaper in the smaller towns.

Several houses in the state are going in for amateur stage shows or musical recitals put on by the local highschool dramatic and music departments.

Tie-ups are being made with a number of the chamber of commerce organizations in clean up drives, with the manager issuing passes to each child bringing a designated number of old tin cans or bottles.

Home town news reels are being shown regularly in a number of houses, some of them being locally produced and others produced by a state home town news reel company.

Tie-ups are being made with merchants on all types of 'dividend' days and promotion, with free shows for all farm children coming to town on designated days.

Oklahoma association of registered nurses is selling tickets on a split profit basis for some houses with their percentage to be used for promoting their forthcoming convention.

### Flying Ducats

Hollywood.

As ballyhoo for 'Test Pilot,' Metro framed the shortest air mail jump in postal history. Ducats for previewers were flown five miles from one airport to another and then through regular airmail channels for delivery.

Picture unveils April 14 i est-wood.

## *Favors Originals*

(Continued from page 3)

for 1938-39 he will boost the number of ori inals to almost 90% of the total.

Zanuck has always argued that it is a waste of money to spend a fortune for a stage hit or a best seller, then toss out an equal or even larger sum to have it fitted to the screen. To him, it is not only bad showmanship but bad business.

After laying more than $200,000 on the line for the film rights to the Broadway hit, 'You Can't Take It With You,' Harry Cohn has seen his purchase almost completely rebuilt to fit the demands of Frank Capra, who will direct it. Even the locale has been changed, the action being moved from a living room interior to the sidewalks of New York.

Paramount's Le Baron doesn't believe remakes. He eliminated them entirely from his 1937-38 program, for which he used 65% original stories, 20% novels and 15% stage plays.

Of Univer l's 40 1937-38 features, 25 of them were based on originals, 12 on novels, two on stage plays and one on a short story. Of the same outfit's four serials, one was motivated by an original idea and three were made from newspaper cartoon strips.

**Low on Originals**

Warners dropped lowest in the number of originals used by a major company last year, splitting its program on a ratio of 20% originals, 35% novels, 15% published short stories, 25% stage plays and 5% remakes. Order has already gone forward, however, to jump the run of tailored-to-order tales for next season.

Like Warners, Metro has been a stickler for established titles, leaning overboard on plays and novels that have struck the public's fancy. Unlike its competitors, it will hold to the formula for 1938-39 in an effort to reduce its story department inventory by using up expensive material gathered in and paid for in an era when operating expense were of less import than they are at the moment.

RKO's '37-38 feature list consumed 23 original yarns, five novels, three short stories and five stage plays. With a heavier slate being planned for the forthcoming semester, heavier emphasis will be placed on originals.

During the stanza just closing, Monogram's list ran to 65% originals, 20% novels, 13% short stories and 2% remakes, while Republic's was made up of 60% originals, 10% novels and 30% short stories. Both will up the originals, effecting resultant cuts in novel and short story purchases for the new stanza.

**Galdwyn's Tailor-Made Pair.**

Samuel Goldwyn turned out five features in '37-38, two of which were originals, one from a novel, one from a stage play and one a remake. Latter was 'Stella Dallas.'

Hal Roach filmed three features during the year, two of which were originals and one from a novel. All of his 12 short comedies were made from originals.

Changed situation means a new deal for the boys and girls who are capable of developing ideas. They'll be able to switch the average short-story plot they consider salable to such mags as Satevepost, Cosmopolitan, Collier's and Liberty around to suit pictures, ship it direct to Hollywood, and grab off a check two or three times as fat as the publishers would pay them for the same material.

### Parsons-Lesser Split

Hollywood, April 12.

Lindsley Parsons called it quits with Sol Lesser.

Last on his producer contract was 'Rawhide.'

## *'Glorified Janitors'*

(Continued from page 11)

did not leave it to the managers to put the picture over—they used showmanship to its nth degree with more than gratifying results.

What was done with 'Snow White' on a grand scale, can be done nine times out of 10 with other pictures of lesser exploitation possibilities. It can be done only in one way, and that is by taking the manager out of the 'glorified janitor' class and make him a partner in the business.

In talks with more than two score managers the solution seems to be clear—if he were given an interest in the running of his theatre—if he were given a free rei , within limits to exploit and publicize the pictures he is playing, there would be a different story to tell for the boxoffice.

**A Small Percentage Cut**

In co-relating all the facts gathered a manager would, if given the incentive to make a little extra money outside of his salary, go out and work like old Ned to increase his gross. The concensus of opinion is that if the officials who run the chain theatres would set a minimum gross (including the overhead and extra added amount as a net gain) and then share with the manager a cer in percentage over this amount, thereby in many instances giving the manager an extra $10-15 a week, they would see an amazing result in box office jumps. To the manager of a theatre in a smaller town, an average of $10 a week would in many instances pay his rent, and give him the feeling of no matter how hard he works, he will get something out of it for himself. As it is, now he is just a rubber stamp, putting his John Henry to the box office statement every night, seeing that the theatre is open on time and that the assistant manager is on the job while he is away playing golf, or hitting the pin games.

Just one other observation, and a very important one at that—the relationship between the theatres and the local newspapers. In very few of the smaller cities is there an entente cordials established between them. The manager has a mistaken idea that he can tell the editor of a newspaper what he can print regarding the pictures he is playing—he believes that in giving the newspaper advertising that he can tell the editorial end just what should be print

**ress Good Will**

As a case in point—in a rather large southern city, the local newspapers, morning and evening, are owned by one publisher, and have for the past five years omitted any mention of pictures playing in the local theatres. Inquiry elicits the amazing fact that the managers of the seven theatres in the town were a bit miffed at the reviews they were getting, plus the fact that they were paying $2.25 per inch against the commercial rate of 90c an inch. After many heated parleys, the theatres were given the lesser rate with the understanding that picture news would be taboo—and the managers agreed to this arrangement. They thought they were smart in doing this, but they have alienated from them the greatest publicity channel that the entertainment field has. The manager or managers who set themselves up as 'dictators' over newspapers just because they are advertisers are woefully lacking in good judgment. There is still a great deal of power in the printed word.

While noseying about I also discovered another important factor, as far as both the heads of the smaller circuits are concerned, and the theatre manager, that is, how closely they watch the trade paper announcements of coming productions. That is their only avenue of keeping in touch with coming events, an only means of keeping abreast with what all the companies are doing and are contemplating.

In conclusion, am certain that if a questionnaire were to be sent out the thousands of managers throughout the United States regarding the plan outlined here taking them out of their static routine job, and giving them a share in the business they are running, the response would be startling. But, of course, that is a matter for the chain operators to mull over.

## Janssen Scoring Wanger Picture; Weil Withdraws

Hollywood, April 12.

Werner Janssen has been signed by Walter Wanger to write a complete new score for 'The Adventuress.' Kurt Weil, who started the cleffing chore, has been released from his contract and is now in New York filling stage play commitments, which are understood to have interfered with his completion of the Wanger assignment.

Janssen has cancelled several orchestral engagements in the east to take the berth. Ann Ronell will pen the lyrics for two songs, for which Janssen will also write the musi

## Dixie Tornado Jazzes Up Film Deliveries

Atlanta, April 12.

Cyclonic winds that brought torrential rains, which turned freshets into raging rivers and forced bigger streams into lowlands, inundating and damaging roads, played havoc with film distribution out of Atlanta.

Miss-outs were frequent in affected territories in Georgia and Alabama, with latter state worst hit.

## O'Connor Tad in Pix

Hollywood, April 12.

New contract handed Donald O'Connor, moppet, by Paramount has been submitted to superior court for approval.

Youngster, who for several years toured vaude circuits with his parents as the O'Connor Family, will be seen as Bing Crosby's brother in 'Sing, You Sinners.'

## Theatres-Exchanges

Philadelphia.

Mrs. Clayre Abramson named secretary and treasurer of Nixon's Grand Theatre Corp. here. She succeeds to part of duties of Si Cohen, who combined them with managership of house. Cohen out in economy move and Harry Slatko, operator of house, will handle active management himself.

Atlanta.

Howard Wallace, of San Antonio, is mgr. of branch exchange of Sach Amusement Co. of Texas, which was opened last week. Branch will distribute pictures with all-colored casts. Southeastern territory has approximately 100 theatres for colored interested in booking such pics.

Oklahoma City.

Following personnel changes in the Griffith circuit have been announced by C. B. Akers, district manager:

Kenneth Blackledge, from Wellin ton, Tex., to Frederick, Okla.

Calvin Council, of Goldsmith, Tex., takes over the Wellington, Okla., houses with Elmer Caywood, former assistant manager of the Griffith houses at Wink, Tex., to the Ector.

Easton, Pa.

Max M. Korr, operator of the Earle theatre, Allentown, has purchased the Hamilton theatre there for Mrs. Hattie Meeker, widow of the original owner.

New York Theatres

WOMEN ARE LIKE THAT
PAT O'BRIEN · KAY FRANCIS
OPENS 9:35 a.m. B'way & 47th Strand 25c to 1 p.m.
Beginning Sat., 9:35 A. M.
"TORCHY BLANE IN PANAMA"

PARAMOUNT TIMES SQUARE
In Technicolor
"Her Jungle Love"
with
Dorothy Lamour
Ray Milland
IN PERSON
Tommy Dorsey
AND BAN
BEN BLUE

Last 2 Days
"Judge Hardy's Children"
Starting Friday
Clark GABLE
Spencer TRACY
Myrna LOY
"TEST PILOT"
CAPITOL BROADWAY at 51st STREET

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"In Old Chicago"
—On the Stage—
New Stage Show

Loew's STATE BROADWAY & 45th STREET
TODAY ONLY
"TOM SAWYER"
In Person—ALLAN JONES
Starts Thurs.
"GOLDWYN FOLLIES"
RUDY VALLEE on Stage

RADIO CITY MUSIC HALL
HELD OVER
"ADVENTURES OF MARCO POLO"
Spectacular Stage Productions

Modern Screen
★ THE LARGEST CIRCULATION OF ANY SCREEN MAGAZINE

# POST-BROADCAST JITTERS

## Rah-Rah Boys as Radio Apprentices

alter Thompson has pared its radio department payroll of a r of junior writers and producing assistants, otherwise known as apprentices. Latter are Harvard, Yale and Princeton graduates, who are brought in and given a six months' to a year's whirl around the agency. Around this time each year these are given a raking, with most of them gently informed that they apparently do not fit in the grooves that they have been trying out.

Thompson not so long ago had an apprentice who was tied up with a $20,000,000 legacy but still wanted to become a radio department exec. He got discouraged after a few months of it and quit.

Prize apprentice story around the agencies concerns a Harvard grad with a Ph. D. degree who gravilated downward from one department to another until he wound up as the No. 1 distributor of the mail. The agency then decided that he wasn't an apt candidate for the business.

## Radio Bereft of Something New To Offer Public, Bernarr Macfadden

Hollywood, April 12.

Bernarr Macfadden, magazine publisher, dectared nday he is through with radio when his present sponsorship contracts expire. He said radi on wane and has nothing new to offer.

States he has ben spending around t,000,000 annually to exploit maga- ir but coin hereafter goes rs.

return to radio when it and different, to

reports icture

## STUHLER STARTS MAY 1 WITH LYONS & LYONS

William R. tuhler will join Lyons & Lyons as v.-p. in charge of radio talent nd program sales May 1. Stuhler, who resigned as radio director of Young & Rubicam to make the L & L connection, left Saturday (9) for a vacation in Bermuda.

Stuhler came with Y & R five years ago and at the time of his leaving he was the radio contact between agency and clients.

## Ky. Derby Details Set

Louisville, April 12.

Brown & Williamson sponsorship of the Kentucky derby from Churchill Downs on May 7 brings Ted Husing to call the actual race, and Bob Trout to describe the crowd, color, horses and jockeys. Broadcast inclu ing race scheduled to last from 4:15 to 5 o'clock, CST., and will include a description of the complete race, inclu ing the presentation of the floral horseshoe and the gold cup.

eginning Aprit 27 the B-W Company will sponsor a series of airings by Meador Lowrey, of the WHAS staff, who in collaboration with Garnett Keller of the Louisville Times will give pre-Derby info on entries.

Arthur Pryor, Jr., of B.B.D.& O., and Paul White of CBS in town few days ago conferring and arrangin technical details with WHAS.

## George McCall Renewed

Hotlywood, ril 12.

George McCalt has been renewed for another 13 weeks by Old Gold cigarettes. Lennen & Mitchell meanwhile auditioning commentators for Coast quarter-hour to plug new P. Lorillard weed.

## Don Kerr Bankrupt

## 'GREEN HORNET' ON WGN

**Also Goes to ining**

Chicago, April 12.

rrangement has been made by Allen Campbell, sales chief of WXYZ, Detroit, to pipe station's 'Green Hornet' show into WGN here for sponsorship twice weekly by Vi-Bev product. Show will hit here Tuesday and Thursday, fitting in between the three shots of the 'Lone Ranger' program.

'Hornet' also goes to other stations on the Mutual hookup, but will go as a sustainer. Campbell figures on selling 'Hornet' to regional advertisers on same basis as 'Lone Ranger' was set up.

'Hornet,' starting as sustai ing here on WGN, switches to its Vi-Bev sponsorship on May 3.

## JOHN BENSON DELAYS RESEARCH MUSTER

John Benson, chairman of the Joint Committee on Radio Research, may not call on the group to approve the official estimate of the number of radio homes until the JCRR's technical committee has got together on standard methods for determining station coverage. Subcommittee has been deadlocked on this issue for several weeks, with no compromise yet in view.

Technical committee got together on the radio homes estimate several weeks ago but Benson, who is also resident of the American Association of Advertising Agencies, would prefer to put off the calling of a meeting of the major committee until it could consider the approval of other findings at the same time. In addition to the radio homes and coverage methods projects, the main committee would then be able to pass n the rural survey which NBC an olumbia jointly financed.

## Ed Thorgerson on Air

Sinclair Oil will underwrite Ed Thorgerson on a thriee weekly sportscast over WABC, N. Y. starting April 25. Thorgerson spiels sports on the sound track for Fox Movietone Newsreel. Once a prominent air spieler, Thorgerson has been off radio several years.

Sponsorship will obtain on Mondays, Wednesdays and Fridays. CBS, however, will keep the program on the remaining three weekdays, 6:05-6:15 p.m. Now trying to set a bankroller to alternate ith Sinclair.

## Butterick Tests Radio

rns makes its bow rticipation idea on 's Make-Believe all- room. Newark.

It's a test and is ndled outside of utterick's motional setup.

## AGENCY LADS EASE STRAIN IN CAFES

**Exhausted Production Staffmen Uncoil the Tension ith Assistance of Night Clubs—N. .**

### ACTORS GO HOME

A new ailment has bobbed up in the commercial side of radio. It's called the post-broadcast jitters and the afflicted are not the performers, but the program producers, most of whom are with advertising agencies. Cure that these temperamental youths take has a Hollywood tinge about it. Only way, they say, that they can work off the case of jangling nerves which rehearsals and the actual broadcasts bring on is by spending the ensuing row of hours in some night club.

Idea of repairing from a re-broadcast, ending some place around midnight, to one of the niteries which stud the 50's has come a habit with ite a number of these agency conti ity jugglers. Like the boys out in Hollywood, they explain that it is in this surrounding that they find the only way to relaxation. Finish of one of these assignments, they say, has the so keyed up that they couldn't go off to sleep if they wanted to.

It is after the Wednesday and Thursday night broadcasts that the agency bunch does it's heaviest relaxing around the niteries. In sharp contrast with this conception of neural therapy is the behavior of the performers on these same broadcasts. Most of the latter get themselves a snack in some coffee pot near the studio and call it a night. With Fred Allen, for example, the penchant is slightly different. He likes to wind up his Wednesday night chore with a plate of chop suey.

## Webs Loath To Finance Expo Plants

Major networks with headquarters in N. Y. are still undecided about going into the New York World's fair in the manner exposition officials originally intended. Negotiations appear definitely stalled with the several nets adverse to spending coin for studio space. They consider that the enormous benefit accruing to the fair from exposition broadcasts make the expense of studio space something the fair should pay.

At present, the fair is querying various industrial firms which will have exhibi at the N. Y. fair to learn if their shows will be broadcast from the show grounds.

## BURNS AND ALLEN SWITCH

**Go to Chesterfield In October Grape-Nuts ash-Up**

Chesterfield's Newell-Emmett agency will payroll Burns and Allen and the Ray Noble band around $13,000 starting next October. It's a straight 39 weeks' deal set through th illiam Morris agency. Burns and Allen quit Grape-Nuts Oct. 3, and within that week start for Chesterfield. It will probably be via CBS, since Chesterfield has never used any other time facilities, but the day and the hour facilities have yet to be cleared.

Setup for Chesterfield is irtually the same as for Grape-Nuts. Noble meantime has dropped out of the latter show, having sailed for London last week to visit his family and to do some vaudeville dates into the summer which have been lined up for hi

## Advance 'Official Advice' on Censor Problems Proposed by Senator

### 5-Suiter Hurts Radio?

St. Paul, April 12.

tan Hubbard KSTP prez, has long been a student of listening au iences. He claims that for years ridge players have played cards with their radio sets on manipulating the pasteboards and simultaneously sopping up the commercials via the sub-conscious.

Now, he moans, ith the troduction of the five-suit decks, he's noticed that with the more concentrati required, most sets are turned off durin bridge games.

## BILL CARD REJOINS NBC

**in Frank ason's Dept. Shortwave Programs**

ill Card, who quit NBC's program department severat weeks ago, is back with the network. His new job has to do exclusively with short-wave broadcasts, which activities are now alt directed by Frank Mason, v. p. and assistant to Lenox R. Lohr.

NBC's short wave programs, both receiving and sending, we taken out of the jurisdiction of the program department about a week ago and turned over to Mason who, because of his experience as a foreign press service correspondent, would, it was figured, be conversant with propaganda implicati

## Dickens Wax Series With Sir Seymour Hicks Is Offered in America

Richard Meyer, general manager of International Broadcasting of London, is offering U. S. stations a series of waxed dramatizations n the works of Charles Dickens. eyer is currently in New York ogling Yankee broadcasting methods. His firm abroad controls 70 hours weekly on Radio Nor in France.

Dickens series is not completed. Undertaking has blessing of Dickensian Society of London.

WMCA, N. Y., is considering the series, though station is understcod to be trying to make a deat with Meyer through which early numbers in series could be secured on the cu WMCA thought is that it coul air some of the transcriptions sustaining as a show-case for the series in America.

Sir Seymour Hocks, topflight ritish Shakespearean actor, is in some of the waxers.

## FRANK CRUMIT'S THEME SONG DRAWS LITIGATION

Adeli rances songwriter, filed a damage action in N. Y. Federal court Thursday (6) against Frank Cru the radio m.c., and advertising firm of Batten, ton, urstine & Osborne on the alleged charge that the words of her song, 'Her Old Spanish Shawl,' are used with different music and titled, 'The Gay Caballero.'

Cru it uses the latter version as his theme song in his weekly broadcast. Plainti wants an injuncti and accounting of profits.

## Cremo Network-Minded

:e

ount.

rly in the winter Cremo sig ized a return to radio by putting locally produced 'treasure hunts' on half a dozen stations, majority of which were Hearst owned.

Washi , pril 12.

Advisory opinions about the fitness of both advertising and entertainment scripts would be available to broadcasters under the program clean-up bill which Senator Clyde L. Herring, of Iowa, plans to drop in the Congressional hopper soon.

rmed with a big stick, new Federal 'board of broadcast program review' would be set up to ogle dialog and sales patter and lay down standards of what is in the public interest. Solon disclai ed any desire to ring about government 'censorship,' pointing out no licensee would be compelled to submit to the judgment of the moral arbiters.

Provisions of the bill are aimed at horror tales, se ags, and offensive commercial blur Would round out the list of don'ts now in force.

With three members, collecting $9,000 yearly stipends, the review outfit would help broadcasters voluntarily policing the airwaves, according to the farm-belt lawmaker. Industry as well as public ought to benefit, he thinks.

While findings of the board would not be mandatory upon stations, the bill has sharp teeth in the form of clauses allowing the judges to file their recommendations with the Federal Communications Commi ion for consideration whenever license renewals or other applications are u for study. Black marks from the reviewers presumably would count heavily in eciding whether past conduct has conformed to the public interest obligation.

As the bill stands in tentative form, the board would possess power as follows:

'To revi w and advise . . . licensees whether or not any program continuity or material which may be submitted woul , if broadcast, be violative of any of the provisions of this act or contrary to the public interest, convenience, or necessity.'

Specifically barred from judging any statement about political topics, the board would tell in advance whether a broadcaster was likely to run afoul of the unexpressed code of decency followed by the FCC. If the judges conclude that the matter sub itted for preliminary examination did not violate the law, it could not make any adverse report or recommendation to the Commish without giving reasonable notice to the interested party. But a broadcaster who aired either advertising or entertainment which the board did not like would take his chances.

Besides repeating the present prohibitions against lotteries, obscenity, and unauthorized rebroadcasting, the Herring bill would add more obligations to the problems of licensees. Use of the air could not be refused to any candidate for the reason that some other business in which a broadcaster has an interest might be injured. No station could allow use of its facilities to permit a defamatory or unlawful attack upon any person or holder of public office, thus modifying the present anti-censorship clauses of the statute.

Although it would not be obligatory for the industry to consult with the board in advance, the trio of morality protectors would be in a position to pass on any program on their own motion and make whatever representations they see fit to the FCC, in this way serving as an official complaint bureau.

Unlikely the legislation will get anywhere in Congress this year. Not enough time for a measure bound to stir up so much controversy.

## EDGAR KOBAK TALKS FOR N.A.B. DIVISION

ercial division of th ssociation of Broadcasters in troit June 13-14-15 in conjunction with the Advertising Federati of America's 11-ring circus.

Edgar Koba of for will be a guest spe N. A. B. meeting.

# 'INACCURACY' TAUNT FROM READERS IRKS EDITORS; BLAME NEWS SOURCES

## Failure to 'Explain' Changes in Program Stars, Skits, Etc., Gives Readers Impression Columnists Don't Get Their Facts Straight

Detroit, April 12.

Local radio editors,—notably Herschell Hart of the News, are weary and angry at the taunt of 'inaccuracy' flung at them by annoyed readers who intermittently get wrong information from the radio columns because the radio editors are not sufficiently protected on last-minute changes of guest stars, skits, program policies and so on. Radio editors are put to the disagreeable necessity of all-too-frequent apologies and explanations to their readers. To say nothing of the feared possibility that their bosses on the dailies may also get a bad impression of their reportorial accuracy.

Irritating to the radio editors is being left out on a limb. They are not given adequate protection, they claim, from those who, in effect, are free space-grabbers. After printing a story of a fact a mere flash reporting a change of plans is not enough protection, they state. Having printed the story they assume a responsibility for its truth in the eyes of their readers. Repeated examples of 'it isn't going to happen after all' represents the radio editors to be careless reporters dealing in rumors rather than facts. What the radio editors want is protection through sensible explanations that can be print square them with their readers.

One thing that burns the editors on occasion is the suspicion that announcements are made as bona fide plans whereas in actual fact there is small likelihood that the idea is anything more than a publicity man's pipe dream with little chance of getting the okay to go through. Bum steers and bum steerers are a sure way to poison a radio editor.

Anyhow, according to local eds, the irritations have been too frequent lately to be shrugged off. Although some of changes are bona fide and unavoidable, eds brand most of the switches as mere whims of the producer or sponsor.

'It would be so easy for someone to explain on the air why so-and-so won't appear or why such-and-such a skit is left out,' declares Herschell Hart, 'but they seldom do, with the result that everyone is disappointed and sore.'

Two other local eds, Pat Dennis of the Times and Eddie Guest, Jr., of the Free Press, also have been taking pot shots at the practice.

Hart some time ago banned use of any publicity on coming programs of Burns and Allen (Grapenuts) and Hollywood Hotel (Campbell Soup) because he found the advance notices often left him holding the bag when the announced gags, skits, etc., didn't come off as scheduled and no mention or reason was ever given on the broadcasts. With the result he was flooded with telephone calls and letters wanting to know why such-and-such did not appear on program as he had said in his daily 'Air Gossip' column. Several times it's taken him weeks to find out why, and then embarrassingly explain in his column.

### Maxwell's Yiddish Halt As Molly Picon Tours

Molly Picon folded her program for Maxwell House coffee off WMCA, N. Y., with the Friday (8) broadcast. Actress is going out on a tour of the key cities of the hinterland with her Yiddish legit troupe.

Maxwell program was built for appeal to the Jewish air audience around metropolitan New York. Miss Picon expected to return to the air for the java roaster in September.

### Marxes File Appeal

an Francisco, April 12.

Attorneys for roucho and Chico Marx, convicted in the U. S. District Court in L. A. on criminal charges based on copyright infringement, have submitted an appeal to the Federal Court of Appeals here.

Marx duo, accused of using a radio script written by Carroll and Garrett rahain without permission, were found guilty a year ago.

### Coca-Cola Fades April 29

Coca-Cola fades its Friday (10-10.45 p.m.) musical show off CBS with the April 29 broadcast. Talent on the program now includes Del Sharbutt, Reed Kennedy, Alice Cornett, Nadine Conner and Gus Haenschen's orch.

D'Arcy is agency.

## WPA RADIO PROJECT AFTER EX-WMCA PLANT

WPA radio project in New York is trying to work a deal whereby the Government group might move into the studios which WMCA has just vacated for new quarters.

Project is now housed in the same building that the Donald Flamm station formerly occupied and takes about the equivalent in floor space WMCA formerly occupied. It's now a matter of getting together with the landlord.

Another stunt the group would like to put over would be running telephone lines from the former WMCA layout, should the WPA get in, to the stations around New York on which the Project has its programs. This could be done with facility from location the station formerly used. Quarters now occupied by the WPA have always been deemed by the unit as temporary, being just offices under the guise of rehearsal halls.

## WGR-WKBW Signs C.I.O.

Buffalo, April 12.

A threatened strike at WGR-WKBW was averted last week when a contract between the company and Local 18, American Radio Telegraphists association was signed. It's a CIO affiliate.

Engineers at the two stations had voted to strike unless their demands for a 40-hour week, increased pay and a closed shop were met. Some 16 technicians are affected. Louis E. Goyette, national director of the association's broadcast division, is here to organize radio workers. WGR-WKBW was the first company to si

### Komroff Sues NBC

Manuel Komroff, the novelist, is suing NBC and Glass Container Association of America for $25,000 damages from each, charging plagiarism. Suit was instituted last week in U. S. District Court in New York city.

Charge is that Container Association's program, 'There Was a Woman,' was lifted from Komroff's book, 'The Travels of Marco Polo.' Program, which rode NBC-blue, folded on April 3.

### TRANSRADIO DRAMAS

**Earl Larrimore-Selena Royle of Legit Head Cast—Koehler Prod.**

Transradio News has begun its transcribed series of dramatizations, which was be sold as feature stuff to stations on Transradio's list wanting such filler.

Joe Koehler's Radio Events, Inc., is producing series of 13 quarter-hours written by John Fleming titled 'Salute to Love.' It's a spy story, with Earle Larrimore and Selena Royle.

Another in the works, a homespun serial by Yolanda Langworthy, is 'Closed Doors.' Joyce Arling and James Bell are in the top spots.

Set for future but as yet uncast is a mystery series, labeled 'The Green Flame.'

## WASHINGTON ORIGINATIONS INCREASE

Washington, April 12.

WRC-WMAL feeding eight musical and 10 non-musical shows to NBC at present besides relaying important legislative happenings.

Among the musical airings is the recently debuted 'Washington Calling' program handled by the new house crew batoned by Rudy Schramm, scribbled and produced by asst. mgr. Fred Shawn. Army and Navy bands on once a week apiece, King's Jesters go out over both networks three times weekly, and 'In Town Tonight' is fed to the southeastern spread each Thursday.

Kenneth H. Berkeley, g.m. of WRC-WMAL, in commenting on programs emanating from here, declared that in time the Capital will originate even more broadcasts, adding that they are constantly on the alert for material of network caliber.

## N. Y. COLUMNISTS' FREE TRIP IF PUBLISHERS O.K.

CBS will deadhead the New York newspaper radio columnists on a jaunt to the Coast this month when web's Hollywood studios are formally opened.

It's a ride out and back and all expenses for the scribes who consent to go and get the nod from their respective publishers.

**'Bateese Himself' on WTIC**

Hartford, April 12.

'Bateese Himself,' French-Canadian comedian, popular on Massachusetts stations, hired by WTIC for regular chore. Fred Wade, singer, and Harold Kolb, organist, supplement.

## Toscanini Influences NBC Sustainers

### Symphonic Musicians, on Permanent Payroll, Color New York Programs

ith NBC now originating fewer of its sustainers from New York than at any time heretofore, the bulk of the musical programs from N. Y. have become classical in design. Prowl and a peep behind the scenes make clear the reason.

Network signed up -odd musicians for Toscanini series, and with that experiment off till next autumn, NBC finds it has the men on its hands. They were put to year's contracts and are on weekly payroll. To get a square shake for its stake, the network is using these men on its sustainers.

Toscanini crew is being broken up into all manner of units to fit the singers and assignments. Artur Rodzinski conducts each Saturday in the spot Toscanini occu and during the week the musicians are divided around. Josef Honti, Ernest La Prade, Alexander Kiriloff and Leopold Spitalny are directors who use them on their various shows.

Singers and instrumentalists who cling to the classical vein and have Toscanini's men in the bands behind them outnumber those regularly sustaining out of New York pumping out pop music. Include Nocholas Vasilieff, Charlotte Lansing, Glenn Darwin, Felix Knight, Yoichi Hiraoka, Yella Pessi, Vincente Gomez, Alice Remsen, George Griffin.

There are, further, the Madrigal ingers, and the programs which dish out classical cleffing under the titles of 'NBC Home Symph,' 'Silver Strings,' 'Tone Pictures,' 'NBC Mu- Guild' and 'Waltz Favorites.'

### GREETED RAUCOUSLY

**Jim Begley, KYW, Asks Stations to Join In Celebration**

Philadelphia, April 12.

Execs of other Philly stations don't know whether to be indignant at Jim Begley, KYW program director, or just smile. Begley last week called all outlets in town and asked if they would like to take a half-hour show—with KYW artists—from KYW during the week of May 16 to help celebrate opening of the station's new studios.

With exception of 250-watt indie WDAS, the answer was unanimously and emphatically, 'Nuts.'

All stations co-opped at opening of WIP's new studios several years ago. In that case, however, each sent over some of its own talent and thus got its own call-letters puffed.

## CEDRIC HARDWICKES ON CBS WORKSHOP

Sir Cedric Hardwicke of 'Shadow and Substance,' and Lady Hardwicke, will both be on the Columbia Workshop radio broadcast on April 23. Program is a dramatization of Eric Knight's story, 'Never Come Monday,' which has been adapted for radio by Stephen Fox.

Cast will be all-English and include Whitford Kane, Victor Morley, Oswald York, Harold de Becker, Ralph Cullman and Stephen Fox, the author. Latter is a close friend of Cedric Hardwicke. Lady Hardwicke, known professionally as Helena Pickard, is from Yorkshire. She will play a Yorkshire role for the first time in her career, and also another role, as a cockney woman. William N. Robson will direct.

### Elviry Weaver Turns Radio Author in Collaboration

Springfield, Mo., April 12.

Ivlry Weaver, member of vet vaude act, Weaver Brothers and Elviry, has collaborated on writing some radio material with George Earle Wilson, production manager at KWTO-KGBX.

Stuff is composed of comedy series built around Ozarks hillbilly locale. Transcriptions have been acted out here in Springfield and sent to New York for audition.

## Radioites Kid Editors

Cincinnati, April 12.

Publicity men and talent from the five local stations took part in sketches satirizing furth estaters at the second annual radio night party of the Cuvier Press Club Thursday (7). It was a stag affair, which barred Peg Maloney, WKRC publicity director.

Bob Dunville, general manager of WSAI, was the only station exec on the committee, which was headed by Bill Bailey, of the WLW-WSAI press department; Elmer H. Dressman, WCKY; Lee Bland, WKRC, and John Brakebill, WCPO.

Radio editors Paul Kennedy, France M. Raine, Times-Star, and Jack Rogers, Enquirer, were targets for one of the acts. Mikers taking part were Dick Bray and Ray Shannon, WLW-WSAI; Elmer Baughman, WCKY; Bob Bentley, WCPO, and Francis Pettay, WKRC. Nixson Denton, Times-Star sports editor, who does an evening program on WSAI, did his contribution via a record.

### Klem Quits WBAL

Baltimore, April 12.

Gustav Klemm, WBAL program director since its inception 13 years ago, is calling it quits Thursday (14). Resignation was handed in month ago, upon arrival of Harold C. Burke from San Antonio to take hold of station command, but was tabled at Burke's request, pending engagement of new boy.

**Mollie Halsted to WSAI**

Cincinnati, April 12.

Mollie Halsted, formerly with WSAI and the William Holland agency, local, last week joined WCPO to double mike and sales force.

Her only studio chore thus far is on the weekday morning women's news program, sponsored by the Kingan Packing Co., Indianapolis, for blurbs on Kingo dog food.

**Lois Elliman**, warbler from niteries, signed by Columbia Artists, Inc.

## Los Angeles 14 Vote Caution On Publicity

Hollywood, April 12.

Southern California broadcasters at meeting Monday adopted 'See What Happens' attitude toward Los Angeles dailies stripping radio pages of columnar and news comment, programs and personalities. Representatives of 14 stations voted policy of hands off. Will cooperate with sheets with daily logs until end of four-week trial period. Some action may be taken then if news column aren't restored.

One or two who favor ing logs were voted own.

Ira Copley chain of five dailies in surrounding towns also order news comment tossed out with only log remaining. All dailies on first day news missing drew thousands of squawks. Transmitter boards also flooded with calls on info about programs.

Broadcasters also voted down proposal to subsidize daily sheet carrying radio news. Stations utilizing station breaks to call attention throughout day to best bets.

Philadelphia, April 12.

WDAS programs are again appearing in the Philly Inquirer's log this week after being absent since last October. Neither the station nor paper execs was willing to comment on the reason for deletion of the WDAS sked or its sudden return this week.

Walter Annenberg, son of Moe Annenberg, publisher, told VARIETY yesterday that he had merely 'iscovered last October there was no room in the log for WDAS and this week he discovered he could find room.

Dallas, April 12.

Antagonism small town Texas newspapers bear toward radio may be gauged from test made by Dick Jordan, p.a. at WFAA. Sent a special release to 125 different rural rags, hired a clipping service to check and result was that only two were printed.

Release sent on the test was especially chosen as one which had no commercial angles and a human interest touch in that it concerned WFAA getting mobile unit which has been offered free to anyone official for emergency cases.

WFAA is owned by publisher of Dallas News and Journal. Local situation pretty good, with WFAA occasionally getting puffs published in Times Herald, rival sheet which owns rival station, KRLD. Dispatch, other paper, once in while carries stuff, too.

## FIBBER, MOLLY TO L. A.; SEEK SUMMER REPLACER

Hollywood, April 12.

Fibber McGee and Molly program will probably emanate from Hollywood when the comedy team resumes after its nine week summer layoff June 28. Summer substitute is now being scouted here by Cecil Underwood, producer of the program for Johnson's Wax.

Marion Jordon (Molly) is expected to leave the sanitarium this week and complete her convalescence at home. They will come to the Coast in July and start their picture at Paramount.

Summer replacement originates on the Coast with Cecil Underwood at the controls.

### Cannon's New Honor

Salt Lake City, April 12.

Bishop Sylvester Q. Cannon, president of the Radio Service Corporation of Utah, owners and operators of radio station KSL, Salt Lake City—CBS 50 kw. outlet, was appointed 'apostle and associate to the council of twelve apostles' of the Latter-day Saints (Mormon) church.

Appointment came as surprise during the closing sessions of the 108th annual church conference here last week. Elevation of the church's former presiding bishop to an apostle created an unprecedented change since 1830.

Apostle Cannon also is president of the Deseret News (p.m. newspaper), and the McCune School of Music and Art.

# WHERE SHOULD F C. C. REGULATION STOP?

Instead of getting down to a solid business basis removing doubt about its polici s, the FCC the eyes of most industry spokesmen, is path which will put broadcasters in the p of getting sanction from some Government agent every time they want to turn around. Censorship, ally thr sally

ecause the industry has been ax—for reasons—in challenging the FCC's authority, present situation finds broadcasters facing the unhappy prospect of Governmental meddling with their business, greater insecurity instability, and huge expenses in complying with regulations and orders of doubtful validity. Most broadcasters feel the time has arrived when the business should rear back nd be in fighting encroachment of Federal regula- r else find themselves in the same predic ment as the railroads, which can't m without going to Washin ton.

**Usurpation** of assumed power is the chief. at the moment. Whether the F with types of regulation which may in the Communications Act depen ingness of licensees to begin seekin of the courts. nd that means money.

**ish** is trying to exercise control over things when it is, at the very least, debatable if Congress ave authority. Outstanding is program censorship, which is the reason why dozens of stations now are operating under short-term licenses an may be indicted under the broad charge they not operating 'in the public interest.' Others are the de- nd fo lots of data, typified by recent questionnaire on financial activities, the plan to require adoption of a uniform accounting method, veiled ultimatum of Ch irman Frank McNinch that no alcoholic beverage advertising should be carried, citation of licensees in attempt to enforce the orders of other Government bureaus, such as the Trade Commission, Post Office Department, Food & Drug ministr nd Securities & Exchan Com-

**Until** the past few months, the Commish seldom challenged but it begins to look as though the worm is turning. And the prospects are encouraging for the in ustry, the District of Columbia Court of Appeals, infused with new blood, is showing isposition to go conscientiously into the controversies between applicants nd the FCC. Before last summer, the courts wer reluctant to write radio law, so the regulators had almost no restraints.

**rocess** has been goin n a long time. Dates back to the original decision of the old Federal Radio Commission to issue only six-month franchises. Been accelerated noticeably since Chairman Frank R. McNinch began house-cleaning, but even

**It's** believed a natural matter of evolution. Each newcomer to the regulatory bo y—whether he knew anything about adio or not—had some ideas he nted to crusade for. Bit by bit, the Commish an tackling adcast operation.

almost no single which can b cite as responsible for the FCC's apparent belief n ictate anything to do with radio. But if ne, it probably was the act of Congress exempting 100-watters from quota limitations, change in the old act which encouraged the Commish to go ahead spotting transmitters here, there, nd everywhere.

**roadcasters** have been submitting for the reason they cannot well resist. If they get belligerent, there always the danger they will find their renewal applications slated for hearing on that 'public interest' propositi . Under the Constituti they re able to turn to the courts only when property or some other right has been trespassed on. Until lately, the Commish never went far enough to cause the necessary resentment to m ke it worthwhile to spen time, effort, and cash in liti ation which might put check-reins on the re

inning of Government su phrase has been an refuge for

**With** the passage of time, this phrase has been broadened, in the minds of the regulators. Now it for scrutinizing program contents, vertising, economic factors, nd editorial mong other foreign subjects. Results in vastly more cost, both for operating and for complying with Governmental whims, since stations must send in rafts of data applicants have to fortify themselves with reams of statements, reports, charts, and blue-prints for.

**Censorship** with a reverse twist has been in effect for a long time, despite the statement in the that nothing shall be construed to give this power. Taking advantage of the few court decisions, the Commish has come to consider it has the right to look at each indivi ual program and approve or con emn. Licensees get no advance warning of what FCC moralists may consider offensive until somebody is slapped with the public interest obligation.

**Procedural** matters are another thing. Until checked lately by the courts, the F made rules to fit particul situations. was notoriously lacking in administration. book was forgotten frequently when it became convenient or expedient to do so. Within the past few months, attorney have maintained the Commish not b ablished legal Although the l requires all papers pre vidence to be filed in answer to an applicant's appeal, the Commish steadfastly refuses to reveal the secret memos from engineers and lawyers which often have a strong influence on decisi

usiness conduct of broadcasters is ject about which the FCC is especially curi though there is doubt whether the law allows regulators to go as far as they have been going. Important controversy is over the right to rule on Some barristers question right to call for the mass required by he recent The plan to pr mulgate system also is regarded by something the Commish lacks rowling into books a costly and infuriating practice.

**Example** of how far the FCC goes on occasion, attorneys report on proposed transfer From one viewpoint, the handling of this application is taken to show that the Commish claims the right to supervise even readjustment of corporate affairs. Pointed out that practical change of control will result if the li- shifted from one subsi iary to another, ommish consumes many months ogling internal set-up of the Travelers Insurance family.

**robably** the greatest yowl is provoked by the persistent refusal to lengthen license terms and to use revocation powers as a weapon to spank transgressors. The law intended the regulatory body to discipline the in ustry by hauling offenders on the carpet under threat of having their tickets taken away. Instead, the old FRC and the present FCC have ducked the responsibility of alleging and prov- misconduct by taking advantage of the 'publi interest, convenience, nd necessity' clause. Als ids laying down concrete rules and principals by using the device of forcin candidates for renewals to show they have been operatin in the interest.

**roadcasters** naturally are reluctant to challenge the power of an agency which can sentence them to economic death, unless they have an issue which can be taken to the courts with fair prospect of victory. In most instances, there is no sound way to get the courts to review the legality of Commish acti ns of dubious legality. Starts to look as though broadcasters will pay the price for being too willing to surrender and forgetting that they can fight back if some vital right is at stake.

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# O'Fallon Raps 'Button Control'

## And in Passing Tells Fellow-Broadcasters N.A.B. Public Relations Job Should Go to a Woman

In a letter rectors of the Nati of Broadcasters the board and head of nver, urged upon the association that a woman be engaged to head up its proposed public relations com ittee. O'Fallon held that a woman ought to get this job because many of the anti-radi paigns are instigated by women an religi izations.

Among those suggested for th s- signi nt by O'Fallon are Josephine Roche, who recently quit as assistant secretary of the U. S. Treasury to assume active management of the Rocky Mountain Fuel Co.; Eleanor Taylor (Yaroh), of J. Walter Thompson, Fanny Hurst, Dorothy Kenyon, New York lawye., and Shari il- liams, who is with the Newspaper nterprise Associates. O'Fallon also illed Miss Williams as a candi- 's proposed post of irector of education.

O'Fallon also urged that the board include a utual rep if a vacancy occurred and to do something about discouraging the continuance of preselector or button-control equipment on radio sets because of the possible isadvantages that might accrue from this new system to practically all local stations. 'This fad,' he wrote, 'may result in considerable loss of audience to many sta- with consequent loss of reve- se the time buyer will wisdom of using a station se signal is not easily tuned un- the button-control arrangement.

He added that because RCA, which ns NBC, controls most set licenses it would not be hard for small stations to believe that this button equipment is being pushed by RCA to bolster the networks' dominance of clear and regional ch nels. This situation might also m it hard to get many of the smaller stations to become members of the reorganiz d NAB.

O'Fallon stated that what m it likewise tough to enroll smaller ti ns is the NAB policy of allowing multiple station owners to hold only one NAB membership and the existence of three clear channel reps on the executive committee. He described the latter as an unbalanced condition.

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# NAB VIC IRWIN

## Just Before Broadcast—Dewey Men Talked Into Courtesy to WOR

Last in the series of usical Cartoons,' sustainer on Mutual, almost di not get on the air last Tuesday (5) night. Two reps from office of N. Y. District Attorney Tom Dewey called at the WOR Playhouse with a subpoena for Vic Irwin, orchestra leader on the show.

Boys from the D.A. arrived before start of the progra and wanted to take Irwin away with them pronto. It was only after some persuasion from all performers present that they agreed to wait out the show.

Directly after the finale Irwin was escorted out.

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# Greatly Increased Activity Noted In Educational Program Race for Prizes

olum .. pril 12.

Approximately 185 different educational programs have been entered in second annual merican Exhibition Recordings of Educational Radi rogra spons red by the Ninth Institute of Education by Radio, to be held at Ohio State University on May 2-4.

Double number programs judged last year were entered.

Programs are divided into two classes: those produced by educational i stitutions and organizations and those produce by commercial organizations roadcasting educational progr

Awards will be made to the best programs in seven ifferent types, four for general use and three for use in the school. Types of p o- grams for general use ar (1) lecture, talk or speech; ( emonstration participation (3) dialog, round-table conversation, debate, answer; tion.

Programs for school use are classified as (1) for use by primary children; ( ) for use by elementary children, and (3) for use by ju ior or senior high school pupils.

If the jury considers no progr m in a given classification worthy of an award, none will be ma

Top awards in l tion went to from U. S. series, 'Let ystic ing o serie titled 'Let's by HA as part of of the Air.

# Studio Audiences' Fever Pitch Remains No. 1 Radio Dilemma; Does It Hurt More Than Help?

Visits to the Eddie Cantor and Lou Holtz broadcasts in recent weeks leaves unsolved—and probably insoluble—the controversy as to the value of studio audiences in a production, as distinct from a merchandising sense. Comedians like audiences. They claim they can't properly go to town without that human sounding board in front of them.

Criti , who aver that the studio laughter coming over the loudspeaker irritates and alienates the main audience of broadcast advertising, do not quite manage to convince either talent, agencies or sponsors that the point is really serious. Comedians and other defenders argue that the studio laughter may actually 'sell' at home listeners that it's uproarious stuff because the studio audience thinks so.

Of course, basically, the studio audience is a big con game. It's a hypo to the artists; it's a stimulus to the general tempo of the show; it's grandiose buncombe and artful camouflage to the know-from-nothing sponsor.

But, behind and beyond all that, as evidenced by the Cantor chnique, it's something extra for the sponsor. Cantor sends the cuffo peasants into a frenzy of enthusiasm and unstilted appreciation which leaves 'em full of the milk of human kindness; full of appreciation and acclaim, and—it is hoped—full of the desire to throw away their Smello cigarets and switch to Camels. A lot of thousands in a 13-week cycle.

What they've grown to expect—and get—and yet not realize that that's the very thing that fools 'em, are those pseudo-confidential chats; that gratis afterpiece, when the mike is dead, when Cantor introduces The Mad Russian, Edgar Fairchild, Walter Woolf King, the colored femme stooge. Gertrude Lawrence (or whoever might be the guester) and all the other lil trimmings.

No wonder Broadway theatre managers squawk that after the Bronxites and the Brooklynites fall out of a radio theatre they're surfeited with show? For five to 10 minutes before the half-hour, and for another 10-30 minutes thereafter, not counting the regular broadcast program, it's ultra stuff.

**Start to Believe It?**

Where the con may be insidious is that sometimes the talent and the producers themselves start to believe it. A case in point thereof was the Holtz-Trommer's show of a week ago last Monday. From the audience perspective everything clicked. Verdict was contrariwise via the ether. This Monday, Cantor's visible show was a socko; but, contrary to the Holtz impression, so it was also (reported) via the air.

With Holtz the warm-up was longer—10 minutes—and they were a pushover by the time the on the air signal was flashed. Cantor gives 'em only a five-min. buildup; seemingly that's more than enough in view of the Camel's show's momentum.

Ted Husing, who straights for Holtz and announces the beer commercials and general routine, does it equally as well as Cantor. Both are suave. Both con 'em that 'We have no applause cards or signs here, but at the same time your manifestation of enthusiasm sorta helps the general pace along.'

Husing adds that the rancher out west would like to know that the New York audiences aren't such deadpans, so why not let yourself go? And Cantor unsubtly observes that the audience mike is suspended high above in mid-air, so it really takes twice as much volume to make it come through enthusiastically.

Basic laff elements are universal, whether ronx or Broadway. Cantor doesn't play down to any of 'em. He muggs; he knows when an appealing roll of his banjo eyes will have their best effect, he looks pleadingly at the suspended audience mike in maidair; and they respond with untoward guffaws of laughter; he has 'em in the w.k. pal , and it's socko all the way.

When Bert Gordon, alias the Mad Russia does a hokum butler, he comes out in a broken-down Guttenberg getup, with his kinky hair in a wild bush-dress. When the colored character ienne—and very good, too, incidentally—wants to insure an exit, a little of that truckin'-on-down is a surefire convincer. As for Cantor, anything goes. He bumps and he mildly louholtzes Gert Lawrence, the colored gal, Walter Woolf King, or any vis-a-vis. The idea of taking bows, unique unto Cantor, further insures prolonged applause.

Afterpiece is perhaps an even better sales spiel on behalf of his sponsor that what is retailed over the air. Cantor wistfully observes that he's reached the stage of his career where he's 'very sensitive,' and if the customers won't patronize his sponsor's products he doesn't know where Ida and the Cantor Home for Girls will get their next limousine. Cracked about Chase & Sanborn's B. W. (Before West) program, and did they think they were buying Shirley Temple?

Edgar irchild and Adam Carroll, erstwhile crack two-piano team before Fairchild took to batoning and Carroll to pianologing for the Cantor show, were among the epilog interludes.

On the Holtz show, another Cantor—Charlie by name—stood out the week before with his expert dialect comedy foiling with Holtz. Agnes Moorehead is the femme dramatic bit vis-a-vis. There, too, the seasoned Holtzian technique plus Husing's own showmanship stood the program in fine stead for visible audience effect. Husing is a good example of what the 1938 brand of announcer must now be—a suave straight as well as a glib spieler.

Same is evidenced with Cantor, where Walter Woolf King, looking at his juvenile best today, and with his former fine singing voice seemingly in camphor, is merely a seasoned straight.

The difference between these shows, however, is that the enthusiastic audience reaction to Holtz, in person, creates a false standard; it's almost a complete fooler for, according to the response, the show seems to be going over in great style. But the mike verdict, in the abstract, seems something else agai

**Listeners Tab Professionalism**

Detroit, April 12.

Joe Weeks captured spieler contest conducted by WJR last week to select candidate for open announcer's job from among 100 applicants.

Weeks, who was chosen by listener ballots designating spielers by number only, has held jobs at WGN, Chicago, WLW, Cincy, WOWO, Fort Wayne and WFIL since leaving WJR six years ago.

## Maxine Sullivan on CBS From Los Angeles Nitery

Maxine Sullivan, colored swing singer who won attention during a long stand at the Onyx Club, N. Y. nitery, has been pacted by Columbia Artists, Inc.

Warbler starts getting a broadcasting buildup from the Columbia web with a series of Tuesday and Friday programs, beginning next week (18). Broadcasts will originate on the Coast, whither Miss Sullivan is going this week to open an engagement at the Versailles, nitery in Los Angeles.

## TICKET HEADACHE CAN'T BE CURED

Detroit, April 12.

N. W. Ayer's local office went to great pains to satisfy as many of the 30,000 persons requesting free ducats for Nelson Eddy's appearance on Ford Sunday Evening Hour (CBS) last week from 5,000-seater Masonic aude here. Requests set a new record for the motor symph hour, and agency tried to soothe 'em, to wit:

Eliminated those who had heard Nelson sing on program in 1935, 1936 and 1937.

Culled out all who had received tickets for any of current season's broadcasts.

Then filled requests in order of receipt, but still got plenty of kickbacks from disgruntled fans.

## 'Good Will Hour' Spreads

'Good Will Hour' extends its coverage for Ironized Yeast to coast-to-coast proportion, commencing April 24. Program at present rides basic Mutual net (WOR, WLW, WGN), plus the eastern regional web, Inter-City network.

Added for the Sunday 10-10:30 p.m. airings will be the entire 25 broadcasters comprising the Coast and Northwest group of Don Lee stations. Also WAAB, Boston; KTAT, Fort Worth; WRR, Dallas; WLLH, Lowell, Mass. Ruthrauff & Ryan is Ironized Yeast's agency.

## Chester Herman Leaves

incinnati, April 12.

Chester Herman, program consultant and talent scout for WLW and WSAI since the middle of last December, is returning to St. Louis to finish out a contract as stage manager and assistant producer of that town's muny opera association for the 1938 summer season.

Herman's affiliation with the Crosley organization was originally intended for a month. It is probable that he will return here in the fall for a full-time berth with the two stations.

A farewell party was tendered him by Crosley execs and co-workers at Mecklenburg's Thursday (7).

# Rutherford's Coast Special June 5

## Watchtower, After Years of Buying Time, Made Little Progress in Getting It Free 'as Religion'

Judge Rutherford, headman of the Watchtower (religious) Society, returns to the ozone for a single-shot over an indie link of Pacific Coast stations. Broadcasters are now being lined up for one-hour live talk by Rutherford on June 5.

Broadcast will originate in Seattle, Last September Rutherford made a similar address to the east, spielding over a flock of eastern stations on a program which originated in Columbus, O.

This season the Watchtower Society has not been buying time for transcriptions as it did for years. In some instances local chapters of the organization approach local broadcasters with pleas to be given time free. Got a host of turndowns. Typical instance was WFBR, Baltimore, which had carried the discs for a while as commercials. altimore rep of the Society asked station for free time after the bought periods ceased. Appeal was based on the theory that the group was a religious one and deserved some consideration for cuffo airing in view of the money spent in the past.

Acorn agency is now lining up the Coast stations for the coming live talk by the organization's leader.

## SCHUDT TAKES STUNT THINKER-UPPER ALONE

Charlotte, N. C., April 12.

Bill Schudt, just transferred from the managership of WBT here to WKRC, Cincinnati, by CBS, is taking Cecil Carmichael, his special events man, to the new post with him.

Carmichael, former United Press man, has been working the stunt angle with Schudt at WBT for some time.

Schudt and Carmichael will leave Charlotte April 15.

## Bryan's Widow to Sue Radio for Tune Payoff

Hollywood, April 12.

Mrs. Leota Bryan, widow of Vincent Bryan, has been appointed administratrix of the song-writer's estate as a preliminary to filing suits against radio stations and others for royalties for the use of Bryan's 'In My Merry Oldsmobile' and 'Down Where the Wurtzburger Flows.'

She told the court the old numbers had come into renewed popularity in recent months.

# RADIO SHOWMANSHIP

*(Attention-Getters, Tie-Ups, Ideas)*

**Outstanding Stunts**

WEDDING RING PARTY
KFRC, SAN FRANCISCO

**Up-To-Date Giveaway**

San Francisco.

With an eye to the future, the Borden's Daily Delivery Company in its daily newscasts by John B. Hughes over KFRC last week offered its radio listeners a novel giveaway—strong, sturdy envelopes in which to keep their social security cards until they reached the age of 65.

Protective envelopes were distributed free of charge to those who asked for them at stores carrying Borden dairy products.

**Multiplying the Offense**

Miami.

WQAM crashed the front page of the Miami Herald by broadcasting the music of a dance orchestra composed of high school youths who had got themselves mixed up in a court case. A neighbor of one of the youths had the tyros hauled in on a charge of disturbing the peace.

Neighbor charged that what came out of their efforts was not music but noise, and WQAM jumped into the controversy with an offer to let the townsmen decide which it is.

**'The Lady Is a Champ'**

New York.

WHN has turned out a novelty promotion piece on Mrs. Ida Bailey Allen, staff home economist. It's titled 'The Lady Is a Champ,' ith this idea emphasized through the cutout of a boxing glove running from title page to the back cover.

Brochure tells of Mrs. Allen's air background, her methods of operation and the sales power of her programs.

**Invitations To Brides**

San Francisco.

Invitations to the 'Wedding Ring Party,' new KFRC program bankrolled by Albert S. Samuels Company, jewelers, which debuts Wednesday night (13), are being handed out at the local marriage license bureau to all couples applying for licenses. Western Union messenger is being stationed at the bureau regularly for that purpose. Bids are also being given wedding ring purchasers at the Samuels store.

Wilbur Hall, radio writer and author, is handling the 'Wedding Ring Party,' a quiz session in which all participants are engaged couples. Mikeman Herb Allen will assist Hall. Broadcast will run from 8:30 to 9 p.m. EST., with a one-hour elimination contest being held prior to the broadcast to pick the best four couples. Radio audience will be asked to submit questions, discussion topics and problems, those used being purchased from the dialers. Special prizes will be awarded the four couples participating in the broadcast and other prizes will be given to all engaged couples attending the party. Will Russell agency placed the account.

**elighted to Apologize**

Ardmore, Okla.

Sponsor with program aimed at children's audience over KVSO, offered a bottle of milk chocolate each day for one week to the first six persons calling the station after the announcement.

Telephone exchange, reporting thosands of busy signals, protested. Sponsor, very happy about whole affair, sent 12 operators on duty free bottles of the milk chocolate. KVSO, wrote public apology letter to telephone switchboard operators in promotion ad in the Daily Ardmoreite the following Sunday.

**Community Fund Dramatizations**

Seattle.

'Of uman Lives' is a new program just started over KOL giving an insight of the work of the Seattle Community fund. It is being written by Jane Estes and staged by the Campus Radio Players under direction of Ted Bell of the University of Washington.

Dramatizations are based on the actual cases on file taken from the records of the Travelers' Aid Society.

**'Two Minutes Is Yours'**

Oklahoma City.

'Two Minutes Is Yours,' platter show Saturday night over KOMA, gives would-be radio artists a chance to air with the added thrill of hearing their own voice over their home radio set.

Platters are made each Friday when hopefuls come to studio and sing, yodel, whistle, etc., and aired on next evening's show.

**Call in Grocers to Explain**

St. Louis.

As a send-off for Standard-Tilton's Milling Co.'s program over KMOX for American Beauty flour dealers' meetings were held in KMOX's auditorium three nights last week with 1,000 grocers in metropolitan St. Louis in attendance. Purpose of confabs was to explain the radio campaign and value of cooperation for producer and dealer. Merle S. Jones, general manager of KMOX, discussed the radio angles, and E. T. Standard, president of the milling company, discussed the merchandising possibilities.

Campaign, which consists of 25 time signals weekly, was portrayed by reproducing a typical day of the company's announcements over auditorium speaker, each time cued by large clock on stage with John Bohn, KMOC salesman, describing programs preceding and following each time signal.

**Easter Stunt**

St. Louis.

WTMV has worked out a novel Easter celebration for East St. Louis kiddies that should prove a big good-will builder for the station. A special kid broadcast during the week preceding Easter will talk about WTMV's Easter bunny that is going to hide candy eggs, in bags, on a flock of vacant lots in town.

On Easter a. m. the station will broadcast the location of the first of the lots where the eggs will be hidden the night before. Other locations will be revealed in other broadcasts. Since the kiddies are expected to devour the eggs, WTMV is offering a bicycle to the one who, at the end of the day's fiesta, produces the greatest number of bags at the station. Other prizes, donated by local merchants, will be awarded the runners-up. Each bag will be stamped with the station's seal to prevent 'ringers' being shoved into the contest.

Broadcasts of stunt are planned for 8:30 a. m. and 5:05 p. m. during the week prior to Easter and every 15 minutes Easter Sunday.

**'Kum to San Antonio'**

San Antonio.

New program over KTSA, San Antonio, slated as a welcomer to new residents of Alamo City, will utilize call letters of stash with these slogans: 'Kum to San Antonio' and 'Keep Talking San Antonio.'

Idea is to build up newcomers all in the name of civic-mindedness. They'll be interviewed, and given an official greeting from Mayor Quin. Musical background will be provided by Ernest Hauser's staff orch. Lee Moffett of the Junior Chamber of Commerce will do the mikcing.

**'Good Neighbors'**

Detroit.

'Good Neighbors,' new half-hour weekly program over CKLW, will dramatize actual case histories from probate courts, welfare roles and churches in Detroit.

Morrison Wade, founder of Good Neighbors Society in Detroit, will fill role of investigator in show, with rest of cast composed of station talent, including Barbara Carrite, Mary Hodge, Frank Burke and Jack White, with Val Clare producing.

## ATLAS TRANSCRIPTIONS QUITS N. Y. FOR CHI

Atlas Radio moves its headquarters and distribution center from New York to Chicago on May 1. Thereafter Herbert R. Ebenstein, prez of the job-lotting transcription firm, will operate out of Chi.

Lou Winston, who headed Atlas' production department as well as the Coast territory, has left the company. His financial holdings have been bought by Ebenstein and Harold C. Hopper, treasurer.

After headquarters of Atlas are centered in Chicago, only a sales department for the east will be maintained in New York.

## Transamerican Offices Used by Jennings, Hustad

Cincinnati, April 12.

Wallace K. Hustad, assistant sales manager of WLW, in charge of mid-western territory, hopped into Chicago last week to service summer accounts and dish out program ideas to agencies on regular and prospective accounts. While in the Windy City he will make his headquarters at the Transamerican office.

Robert G. Jennings, general sales manager of the Crosley organization, took departure at the same time for New York, to be engaged for a month in Eastern territory, with the Transamerican home office as his base.

## Siesta for 'Christian'

Hollywood, April 12.

Chesebrough's 'Dr. Christian' starring Jean Hersholt, drops off the air after April 24 broadcast.

Tentatively set to return in the fall.

# LATIN AMERICAN PROGRAMS

## How American Advertisers Alter Radio Selections to Comply With Requirements of Overseas Wax

London, April 4.

Sponsored radio programs intended for the United Kingdom differ markedly from entertainments frequently sponsored by the same international advertisers in America. These contrasts stand out vividly in a number of fairly typical examples.

(Most radio programs from continental stations are obliged to stick closely to straight music. That explains many, perhaps most, of the contrasts).

Quaker Oats, for example, has a children's show in the States, 'Kaltenmeyer's Kindergarten.' Over here it's a fast, smart orchestra. Pond's baits the British with Al Collins' orchestra, a suave, Mayfair musical crew, while on NBC there's weekly 'family rial' tagged 'Those We Love' and last year the sponsor bankrolled Mrs. Roosevelt, wife of the President.

Bi-So-Dol has 'Just Plain Bill' but for the English there's 'Among the Immortals,' presenting works and biographical tidbits on classical composers.

rene offers moony ballads via transcription by Morton Downey. In America Jimmy Fidler dishes the Hollywood dirt. Oxydol is on Radio Normandie with Carson Robinson's hillbillies (known here, more elegantly, as 'Pioneers'). In the States the same sponsor pursues biz with 'Ma Perkins' and 'The Goldbergs.'

Al Jolson tops the variety program on CBS for Lever Bros.' Rinso. Over here the appe is Jack Hylton's band.

Horlick's ran 'Lum 'n' Abner' for four years on NBC. For the British, it's a big variety show, with a line-up embracing Billy Milton, Vic Oliver, Neila Goodelle, Jane Carr, Mary Lawson, Bert Yarlett and the Rhythm Bros.

### Yorkshire Dialect

Hind's cream gives the Amerks the script serial 'Life of Mary Sothern'; English are given orchestral 'dream waltzes.' Kolynos aims at Broadway background in the U. S. with 'Ted Hammerstein's Music Hall.' Hoke comedy of the Yorkshire variety, with accents rural, presided over by 'Joe Murgatroyd,' is what the British get.

Alka-Seltzer gives America a 'National Barn Dance,' across the Pond it's an early a.m. calisthenics program.

Carter's Liver Pills has doted on heavily dramatized quickie spots in the States, while here the warnings are set to martial band music.

Of course, there are some corresponding programs on both sides of the Big Water. Phillip's has Abe Lyman's 'Waltz Time' in America and Billy Bissett's 'Waltz Time' in Europe. Lux in the U. S. leans on Hollywood for its CBS one-hour radiozations of plays and film scripts. On Radio Normandy, it's a 'Movie Club,' with 'Hollywood Highlights' and short biogs of Hollywood stars.

Kraft has a variety program, not wholly unlike Bing Crosby's in design. On it are Alan Breeze, Jack Doyle, Max Miller and Peter Williams.

## B.B.C. SEEKS YANK DANSAPATION VIA CBS

British Broadcasting Co.'s New York office, bossed by Felix Greene, is conclaving with CBS on a plan whereby Columbia will feed a weekly dance-music program to England via short-wave.

Proposed period would air over CBS here, alternating name bands, in the late Saturday afternoon so as to reach London for BBC around 10 p.m. Difficulty at present to iron out is the jam-up Columbi would experience due to the sports' special-eventing on Saturdays, which network plans to carry through late spring and summer.

### B.B.C. Receptive

London, April 4.

British Broadcasting Corp. has published a book containing advice to those who wish to sell 'radio masterpieces,' to seek auditions, and so on. In it they protest they are anxious to secure good broadcasters.

They claim that writing for the radio presents a new literary field, and the handbook expresses B. B. C.'s willingness to co-operate with embryo writers.

## Status Little Changed as Yet In Brokerage

ontreal, April 12.

Practically all radio stations in Ontario and Western Canada have decided to follow through on the resolutions adopted at the last meeting of the Canadian Association of Broadcasters barring dealings with time brokers. As far as can be ascertained here no time brokers or non-exclusive station representatives have applied to the CAB for a franchise as yet.

Quebec and eastern Canadian radio men have not yet decided whether they will fall in line. Elimination of the second 15% through use of exclusive station representatives is not an accomplished fact, through this change.

Eastern station men fail to see that any saving can be made by handing the second 15% to exclusive station representatives instead of to non-exclusive reps.

Plan is now being formulated whereby stations in Quebec, Montreal, New Carlisle, Hull, Three Rivers, and Rimouski may combine activities to patronize a station rep set up by themselves, as a group of Western stations are doing.

If deal is arranged stations involved will peddle their own ideas to clients and try to sell other stations in the setup at the same time to sponsors having coin available for use in other areas beside the one that may be under negotiation.

Non-exclusive station reps are now in a position where they must either go exclusive or be li ited to shows originated by themselves which they may be able to sell to sponsors.

Small stations, deprived of production and sales services heretofore furnished by non-exclusive reps, will be obliged to increase production activities and set up individual sales organizations, with the cost added to the second 15% which they will be obliged to give exclusive representatives, increasing rather than lowering the cost of getting business through the new CAB ruling.

With Associated Broadcasting holding contracts as non-exclusive reps for more than 20 radio stations, execs of Associated have not yet determined whether they will attempt to enforce these contracts by legal means.

### Double-Header Swingo

Double-header of band organizations has been set for Martin Block's Sunday Swing concert next Sunday (17), which is broadcast each week over WNEW, N. Y. Stuff Smith's orchestra, from the Onyx Club, and Jimmie Lunceford's band, back from road tour, are or izations on program.

Merle Pitt's 'Make Believe Ballroom' orchestra is the regular band which also will be on the same program.

## NATIVE MUSIC TOPS EVERYTHING

**News rows, Scattered Comedy Shows, Many Amateurs and Very Little Sports on Schedules of South and Central Ameri-**

### WAX TAXED

Native music (tangoes, rhumbas, etc.) played by native orchestras or sung by native singers is the chief characteristic of program popularities in South and Central America. Music dominates the broadcast schedules in all countries and on many stations is heard almost to the exclusion of nearly everything else.

There is some drama here and there, notably in Argentina; an occasional humorist or comedy show is reported, as from Mexico and Venezuela, and amateur programs are fairly numerous, notably in Cuba.

Due to a combination of local tariff and dialect obstacles, the electrical transcription is not the universal medium of Latin America's programming. Phonograph records are, of course, much used. On some stations there is nothing else. But the transcription, as such, is subject to import duties ranging as high as 42% in one republic. In Mexico an impost distinction exists in favor of waxers spinning from the inside out, as distinct from those spi ing from the outer edge inward.

Radio stations overwhelmingly build their own program in South and Central America, ith advertisers merely buying participation commercials. Quite a number of deals are reported, however, between stations and advertisers, whereby a station sells its call letters, its letterhead or other identifications in return for a lump sum or as part of a deal for a big volume of blurbs annually.

Sporting events under sponsorship in South America is rare. News is growing increasingly common with newspaper-radio cooperation noted in many lands. Some stations pick news off the shortwave and use it for their longwave. Or vice versa.

*( etailed analyses of program and other operating policies of the stations in the republics to the south of the United States will appear in Vol. II of the* Variety *Radio Directory—now in preparation for early summer publication.)*

### Weed Adds CFNB

CFNB, Fredericton, N. B., is the latest Canadian outlet to join Weed & Co.'s representation list.

Station operates at 1,000 watts on 550 k.c.

## Canadian Broadcasting Corp. Position Much Strengthened; Programs Weighing Scales

### War and Radio Sets

Philadelphia, April 12.

Spanish civil war has rebounded in one way, at least; to help American manufacture—it's doubled the sale of radio sets on the Rock of Gibral! makers report.

Rock is within easy range of insurgent stations at Seville and Salamanca and loyalist stations at Valencia and Cartagena, well as neutral stations at Tangier, French Morocco. So it makes a convenient place to get only available news of both sides.

More than 75% of sets sold in Gibraltar are made in America. Heat and humidity makes it necessary to put them in special cabinets to prevent warping and fog requires covering transformers with pitch to prevent deterioration.

## GOVT. MAY TAB SET TAX VIA DEALERS

ontreal, April 12.

Reports are current that the government will make a drive to enforce collection of the annual radio license fee, now $2.50, through enactment of a law making it necessary for dealers to require buyers of radio sets to show their license. New ruling would also affect repairmen rendering service on radio sets.

Statistics on the radio sets in use in Canada, as compiled by manufacturers, have always differed from those issued by the government, manufacturers showing more sets in use than licensed.

It will now become necessary for buyers of radio sets to get a license first.

### 'Showmen of England'

London, April 4.

B. B. C. has arranged with Charles Cochran to be their first star of a series of large-scale radio personal appearances May 10, titled 'Showmen of England.'

Cochran will hold the micropho for one solid hour. Some stunt.

**Sid Dixon,** Pacific Coast rep for Ed Petry, station rep fir in Seattle last week.

## Morning Prayers in Quebec Granted By Catholics After Much Urging

Quebec, April 12.

Morning prayers has become a big event over the radio. CHRC estimates prayers draw 90% of local potential listeners. rogram is under direction of l'Acti Sociale Catholique, with a priest sent to the station by the Diocesan Authority every morning fro :15 to 8:30 to conduct the services.

Interest in the progra has become widespread with stations in New Carlisle, Rimouski and Hull now building si ilar broadcasts with a view to reaching the strongly religious public in this province.

Management of station CHRC negotiated with the Catholic Churc leaders here for two years before being granted permission to air prayers, ecclesiastical authorities having assumed the attitude that prayers should be reserved to churches.

Another religious broadcast attracting attention is held the first Friday of every month, marking the Feast of the Sacred Heart, intended for the sick who cannot attend church services. Service is held over station CHRC from 3 to 4 p. m. under t e directi of Rev. Father Meville Guillaume Dechene, and includes a church choir.

Montreal, April 12.

Investigation in the House of Commons at Ottawa of Canadian Broadcasting Corp. affairs has resulted in a fairly complete okay of every phase of CBC operations.

Committee conducting the investigation has heard only CBC officials. To date those who have taken the stand were L. W. Brockington chairman of the Board of Governors of the CBC, Rene Morin, vice-chairman of the Board, and W. Gladstone Murray, general manager.

A request to have an official of the Canadian Association of Broadcasters take the stand has been rejected and, from appearances, no further witnesses will be called before the committ .

CBC has apparently won an easy victory over the private stations.

Further strength has been given the position of the CBC in recent weeks through the lessening and almost complete cessation of newspaper attacks, due in a large measure to the discovery by executives of the Canadian Newspaper Publishers Association that loss of revenue to radio through use of the CBC network by national advertisers woul be inconsequential. National advertisers, publishers find, will continue to use newspapers almost as much as previously, with radio being used for additional exploitation.

It is believed that the radio investigation in Parliament is virtually closed now, with only a report from the committee to come later on.

From the viewpoint of radio listeners the CBC has strongly established its case of providing more abundant, more diversified, and more complete radio entertainment than possible for private radio interests in this country to furnish.

## NBC PAYS COST OF F.D.R. TALK TO S. A.

NBC is underwriting the short-waving of President Roosevelt's speech before the Board of Governors of the Pan-American Union tomorrow (Thursday) to South and Central American countries. Channels of RCA Communications will be used. Arrangements have already been made for stations in Brazil, Argentine, Venezuela, Cuba and Colombia to rebroadcast the relay by longwave.

Same service was offered Chili and Mexico, but no word either way had been received from them up to noon yesterday (Tuesday).

### In Canada

**Radio College of Canada,** trade school, buying spots on CKNX, Wingham, to advertise its courses.

**Gordon S. Henry,** anag of CFAC, Calgary, back at desk after month's vacash in Los Angeles.

### Alistair Cooke Goes Back

Alistair Cooke winds up his sustaining series of drama and fil critiques over NBC on April 23. aturday night spiels have been airin over the red ribbon.

Shortly after sails to London where he'll wax a series of talks for ritish roadcasting Co., titled 'America in Song.' Program will trace U. S. music history. Cooke was a commentator on BBC before coming to America.

# Follow-Up Comment

**Amos 'n' Andy** after 10 years of broadcasting, still turning out a daily script that holds up although some intermittent weaknesses from time to time. Without stooping too much for hoke, they manage to keep unraveling a perpetual yarn. Characters have retained their distinct personalities and there's always at least one chuckle, which is never too hard to catch, in each inning.

Formula is pretty much stereotyped, with a few general situations repeated over and over again, each time with a little variation. Latest few chapters have had Andy in the usual dumb-cluck difficulties. this time with an acquisitive gal and a diamond rin

**Bing Crosby-Kraft** show ver WEAF-NBC last Thursday night (7) had Gail Patrick and Edmund Lowe as guesters, but they weren't at the mike together. Part of the appeal of the Crosby show is its informality, with the star and Bob Burns apt to uncork some pretty funny stuff on short notice. Nevertheless, that very informality sometimes dampens the powder, which is just what it did for Miss Patrick and Lowe. Session sounded as though neither one knew exactly what was expected.

Lowe and Crosby exchanged a flock of insults anent each other's tennis ability and kept referring to a recent Spokane trip, but the bit was never quite tied up—and the loose ends tangled up the kilocycles. Miss Patrick's stint was apparently supposed to reveal her pash for collecting copper and uncovered some wacky gags. Again it didn't quite jell. In the case of Rudolph Ganz, guest pianist, his ivory-massaging was skilfull and to the point, so the clowning served to set it off a trifle. But for the two star visitors, n.s.g. Always a danger that informality may lapse into a suggestion of slovenly programming.

**Hollywood Hotel** last Friday night (8) over WABC-NBC only occasionally rang the bell. Principal fault seemed to be muddled scripting. Tried to shoehorn too many ingredients into the show and consequently didn't get much of anything across. Entire fore-part of the stanza was a hodge-podge about 'Snow White.' 'The Three Little Pigs' and other Disneyites—not overly funny comedy.

Frank Parker did right by 'The Night Is Young' and Frances Langford went even more sultry than lately with 'More Than You'll Ever Know.' Two ended program by joining Ann Jamison for a sock trio arrangement.

Dramatization brought Victor cLaglen, Bri Donlevy and Louise Hovick (Gypsey Rose Lee) in 'Battle of Broadway,' from the forthcoming 20th-Fox film. Plenty of the expected roughhouse, with McLaglen and Donlevy knocking each other out over a golddigger. Surprise ending could be seen a mile off. Not badly done by the players, but the production and direction were only so-so. Writing pretty obvious.

**Whiteman - Chesterfield** program over WABC-CBS last Friday night (8) finally showed signs of capturing style and zip. Pattern was more smoothly worked out. Paul Whiteman carried the major burden with his band and the guest end held up.

Whiteman offered two numbers as his more ambitious turns for the show. One was 'Dodging a Divorcee,' the other 'Dinner Music for a Pack of Hungry Cannibals.' Both were the slick orchestration jobs for which Whiteman is noted and both were whanged over in good style.

Joan Edwards. one of NBC's sustainer singers, guested to do two numbers, 'Gypsy in My Soul', and 'I Get a Kick Out of You.' Gal has a voice with an enlivening rhythmic quality and she plays a torrid piano. First number was up to her usual, but the second didn't have quite the umph she normal gives 'em. Jimmy Dorsey sneaked away from his own band to return to his former teammates for a guester. Solo-ed on the sax and clarinet for a couple of his tunes, then encored with 'Flight of e Bumble Bee.' Latter only so-so—it's now too tame for a novelty and that's all it was ever intended to be.

**Edgar ergen** and Charlie McCarthy really laid an omelette with that egg-laying sequence that teed off their Sunday night stint for Chase & Sanborn. Long drawn out and rather much ado, it was below par. Even the expert foiling by Bergen and McCarthy's usually ingratiating brashness couldn't offset the basic weakness of the script.

**Quite** a bit of fancy dansapation on the airwaves these days. In fact, it's become axiomatic that there are few if any really poor bands; it's principally a matter of relative superiority. Thus, NBC's 'Rhythm by Roth' is a nifty brand of dance music, batoned by Al Roth, originally out of St. Louis, coming to attention on KMOX's 'St. Louis Blues.'

Ernie Fiorito on WOR—no relation to Ted—has a contrasting style of sweet 'n' hot, that's well presented. Xavier Cugat, also a WORer, now that he's the main band at the Waldorf, during the Lenten drop-out of Leo Reisman, mixed up his Latin tempos with orthodox foxtrotology, and it makes for a nice blend.

From Boston comes Rakov, his violin and his smooth terp tunes. From Philly there's Lou Breese, who should make himself felt nationally soon.

**Irritatingly** repetitious commercials on WMCA for Sunday midday clambake, with phonograph records, by 'Zeke Manners' on behalf of 'Pappy Madison,' alias the Madison Auto Loan Corp. Manners, a hokey, bucolic twang, urges listener to drive auto or truck up to Madison, or phone him at the station —Circle 6-2200—for all the details. 'If you need ready money you can get it easily, in one lump sum, but you can have up to 20 months, almost two years, to pay it off in small, little (double diminutive) installments so that you will hardly feel it.'

Zeke keeps calling the recording bands 'orchestry,' which is about as backwoodsy as the Weaver Bros. and Elviry, but worse. In between there's an audience-tabulator, via free ducat to either the New York or Brooklyn Strand for those guessing the identity of the recording artist of one of the test diskers.

For a station of WMCA's calibre which, in its new Broadway headquarters, brags about its sophistication, this is strictly Ackerman & Harris radio.

**Clem McCarthy** has slightly improved his machine-gun shout delivery for his sports spiel over NBC for Kreuger er, but it's still an explosive style.

Obviously, McCarthy couldn't hold up in a straight gabfest for 15 minutes. That monotonous delivery would wear out the listeners in no time, so the session is divided into various different classifications. On show caught (8) Ben Grauer first called the subject, then McCarthy spoke a few minutes. Another subject was then called by Grauer and bombarded by McCarthy. In that way he commented on Louis-Schmeling, ice hockey, Fans Club (trivia), Seabiscuit-War Admiral and Faces in the Grandstand (more trivia). Still fights the listener.

**Jack Benny** and Phil Baker both used a burlesque of Metro's 'Yank at Oxford' on their shows last Sunday night (10). It was particularly unfortunate since the programs are in sequence, although not on the same networks.

Benny show, over WEAF for Jello, was a punchy session for the series, particularly in the early portion. Baker show, on the other hand, was a weakie. Flock of misfire gags and labored puns weren't even close to average for the show. On more than one occasion the wait for an expected laugh that didn't come tossed the timing off.

**Boake Carter's** 'luck' of having big stories break just in time for his broadcasts turned around and bit him last Thursday (7). Just after the commentator had finished giving his views on the President's reorganization bill and offering some predictions, the House killed the measure in a sudden vote. It left Carter, who had gone off the air, rather out on a limb.

Commentator served up some favorable comment about the powers that be. Objects of the praise were Roosevelt and Secretary Hull, for their efforts to keep the country out of war and for their Latin American policy.

**Royal Crown Cola's** show last Friday (8) over WJZ-NBC with Graham McNamee, Golden Gate Quartet, Tim and Irene, George Olsen's orchestra. Uncle Happy and Fredda Gibson was undistinguished and the comedy writing efforts still weak.

Tim Ryan kidded with Olsen and McNamee about Ryan's work, saying there was too much talk, which was tru. Uncle Happy made a weak crack about his red face being due to having eaten too many potatoes, causing 'spud-pressure,' which laid a large-size etherial egg. There was some business wound around a visit to Cuban Pete's, which was unfunny. Tim and Irene visited a department store without finding comedy. Olsen's band and Fredda Gibson's singing scores. McNamee plugs the $1,500 weekly prize slogan contest. With these standard performers it seems evident scripting is at fault.

**Norma and Constance Talmadge's** reunion as a professional team, but on the radio, as part of the George Jessel show, is a better stunt as an idea than in execution. For that matter, the entire stanza having to do with their entrainment from Los Angeles to Detroit, to play a personal there, was a let-down this Sunday.

**NBC Symphony** Orchestra last Saturday night (9) over WEAF-NBC was conducted by Artur Rodzinski and included on its program the first playing outside of Russia of the fifth symphony of Dmitri Shostakovitch. Composition is said to have been enthusiastically received in the Soviet Union, where young Shostakovitch has alternated between being the fair-haired boy and just a musical stepchild.

Piece is in four movements, ith the last tting off the fireworks. There is little melodic line to the composition, with the exception of certain portions of the third (largo) movement. It is strikingly orchestrated.

All the uproar at the finale suggests what the Bethlehem Steel works must have sounded like when the news of the armistice was received in 1918. While this newest Shostakovitch piece hardly rates with the symphonic classics, it seems an improvement on much of the composer's work and is likely to be increasingly heard by symph groups and via radio.

Other selections on the program included Weber's overture to 'Oberon,' four Respighi arrangements of 16th century airs, an Albeniz suite and three excerpts from Wagner's 'Die Meistersinger.' Under Rodzinski's direction the NBC orchestr had the businesslike sound of a confident, bigtime organization, one that has style and class and knows it. Despite the repeated opinions of the music critics, the strings by no means overshadow the rest of the orchestra.

**Metro-Maxwell House** show over WEAF-NBC last Thursday night (7) did only one of the two scheduled dramatic bits. Other, 'Port of Seven Seas,' ith Maureen O'Sullivan and John cal, was nixed, reportedly becaus iss O'Sullivan was ill. First was a reasonably impressive crime meller with Robert Taylor as a smart detective and Sam Levene as a vicious killer who tried to outwith the dick. Surprise ending. Well handled.

Taylor continues to click as m.c. and Frank Morgan gets a reasonable number of laughs as general heckler for the show. Fannie Brice, this time piped from New York, walloped another 'Baby Snooks' bit.

Judy Garland returned to the program to sing 'Bei Mir Bist Du Schoen' and 'Sweetheart of Sigma Chi.' Oke.

### BRITISH VARIETY SHOW

**With Leslie Hutchinson, Tommy Trindlar, Dawn Davis and Len Burham, Major and Minor, Sid Walker and Richard Murdock, Clapham and Dwyer, Charles Shadwell's Orch.**
**60 Mins.—Transoceanic**
**Sustaining**
**Saturday, 3 p.m.**
**WOR, Mutual, New York**

In the series of Saturday afternoon programs picked up in London by British Broadcasting Co. from a music hall and short-waved to Mutual net in the U. S., period that aired (9) was fairly typical. That it isn't ideal for listeners is evident, for the performers mugg for their visual audience. It's radio having to conform to conditions of a stage-show, and not talent and material conditioned for air presentation.

Layout was extremely bad this time and terribly conflicting. That it asn't timed for radio was obvious. Bow music at the finale of the program lasted more than four minutes, during which no word was spoken. Three male comedy teams out of six acts. And types of the duos and their material were much alike.

Next-to-shut and program's standout was tremolo-baritone ballader Leslie Hutchinson, popular fave in English variety halls. Did excellently with 'So Many Memories,' 'Right or Wrong' (new number, announced as getting its debut on British ozone) and 'For So Long, Sweetheart.'

Tommy Trindlar, fast-paced monologist, scored with swell material and an effective style. Wound up with a smart and funny novelty song, 'Signs of the Times.'

Dawn Davis and Len Burham did duets of pop songs for fairish effect.

Of the trio of male comedy duos, Major and Minor, who opened the show, seemed best. They at least interpolated some songs to offset the sameness of style and material. And, incidentally, their gag about a girl walking home from a motor ride would be far too vermillion for Yankee radio and even some American vaude houses.

Sid Walker and Richard Murdock engaged semi-Cockney accents in a torturedly dull sketch that was confusing and unfunny. Clapham and Dwyer, the third comedy act, closed and almost with a thud. Charles Shadwell's orchestra did o.k. in backgrounding the rformers.

*(Several names of the performers listed may be misspelled. They were plucked off as they were introduced on the air, and spellings in several instances were based on euphony. List not available in America.)* *Bert.*

### 'SCENES OF SOVIET RUSSIA'

**15 Mins.**
**INTOURIST, INC.**
**Fridays, 9:30 p. m.**
**WQXR, New York**

Series is under sponsorship of Russia's official travel agency, in the U. S. Mild selling stuff aimed to stimulate travel to the Soviet. Not convincing Conversational sketch depicting an American tourist hearing from Russian farmers, how much happier they are under communist rule than the old era.

*Shan.*

### SIR CEDRIC HARDWICKE

**Interview**
**Sustaining**
**Thursday, 7 p.m.**
**WOR, New York**

Sir Cedric Hardwicke, English legiter currently in 'Shadow and Substance,' at the Golden, N. Y., was the interview guestee last Thursday (7) on Radie Harris' sustainer over WOR. Actor turned in vivid appearance. Questions were shrewdly chosen and brought out a number of absorbing items. Hardwicke made the most of them. Miss Harris, per usual impressed.

Has a powerful mike personality, clear and distinctive voice and wit that sparkles through almost every line. Natural for radio dramatizations and a sure bet for interviews on major network shows. *Hobe.*

### Pat BARNES and BARNSTORMERS

**With Marcella Hendricks, Jack Arthur, Al Bernard**
**30 Mins.**
**Sustaining**
**Saturday, 8:30 p. m.**
**WOR, New York**

A novelty variety program that should please the listeners finding time of Saturday nights at 8:30 to listen in and one, sustaining at present, which might have fairly good commercial possibilities. Half-hour show is compact and meaty. It's almost a vaude show in itself, with the material varied enough that there is bound to be something of interest to everyone somewhere along the line.

Pat Barnes himself figured when heard principally in a skit of east side tenement life in which he played all the male parts, there being several, while Elizabeth Morgan did the sole feminine role. Sketch sells on its own, in addition to having the added value of Barnes' doing various characters, including in dialect.

Band opened with 'March of Musketeers,' Jack Arthur using this number as a vocal solo. He has a good baritone voice and registers well. Another number for him is ' e and Marie' in the Gay Nineties manner, nicely rendered. arcella Hendricks, rhythm singer, uses 'Lost in Meditation.' Hers is a highly pleasing air voice.

Lending the minstrel man touch, Al Bernard tells stories in the accepted dialect, having material that is fairly good for him, and tops with an old novelty tune, 'What the Engine Done.' In addition to the skit in which he appears, Barnes paints some local Broadway color up ahead as an introductory for iss Hendricks. *har.*

### HOUSE OF MELODY

**With Cy Trobbe's Orch., el Venter**
**30 Mins.—Regional**
**BANK OF AMERICA**
**Sundays, 7 p.m., PST**
**KFRC, San Francisco**
*(Charles P. Stuart)*

Remodeled and refurnished, the 'House of Melody' has returned to the air after some months' absence with the same sponsor, Bank of America, footing the bill for the weekly half-hour broadcasts of music of general appeal. Using the same program title and theme as the previous series, the new show is being aired from KFRC, San Francisco, over Californi stations of the Mutual-Don Lee web. Talent includes a 27-piece orchestra batoned by Cy Trobbe, a male chorus under Henry Perry's direction, and Mel Venter as commentator.

Initialer (27) presented familiar selections by such composers as Lehar, Debussy, Victor Herbert, De Koven, with the chorus joining the orchestra only in the opening and closing numbers. Orchestra's performance throughout was smooth, precise, with emphasis on simplicity of treatment. Male voices, an innovation on the 'House of Melody,' were used to good advantage, sounding full and well-blended.

Mel Venter makes an ear-pl sing commentator.

### 'HIGH SCHOOL HIGHLIGHTS'

**Music, songs, discussions**
**30 Mi .—Local**
**Sustaining**
**Friday, 10 a. m.**
**WAVE, Louisville**

Each week, WAVE sends it's mobile unit, with an announcer and technician, to one of the city's high schools, to pick up a 30-minute session of school songs, music, etc. At the stanza caught, the J. . Atherton School for Girls, with femme student body assembled in the school auditorium, aired a program of group singing, music by the school orchestra, and a current events discussion.

Programs should build plenty of good-will. Doubtful if of much interest to the rank and file of listener, but to parents of children in high school and those below high school age, bound to arouse curiosity and parental pride, and a consequent mellow attitude toward the station's programs. *Hold.*

### CHARLES MATTHEWS

**5 Mins.—Local**
**STAG BEER**
**Daily, 10:15 p.m.**
**WKY, Oklahoma City**

Lad has a nice voice for newscasting that needs only training. This, heard Wed., April 6, was his first crack at announcing for which he has been studying quite a spell (while operating the WKY elevator nights). *Lewis.*

### KIRSTEN and KAREN FLAGSTAD

**With Mme. Marie Flagstad**
**Songs**
**RCA**
**Sunday, 2 p.m.**
**WJZ-NBC, New York**

RCA Magic Key program over WJZ-NBC last Sunday (10) presented Kirsten Flagstad, her sister Karen Flagstad, and their mother, Mme. Marie Flagstad. It was the first U. S. appearance of Karen, although she had previously guested on the same show, but from her native Norway, with Kirsten at this end. Younger Miss Flagstad is a musical comedy singer and, like her sister at the Met, a soprano. She was introed by Kirsten and soloed with 'Springtime,' from the Broadway musical, 'Three Waltzes.'

Aside from her obvious difficulty with the English lyrics, Karen Flagstad has an agreeable, melodiou voice. It seems rather rich and pliable and, after a nervous start, fairly sure. Language difficulty and her dramatic style require buildup.

After irsten Flagstad sang a number, the sisters ducted with two Scandinavian songs, both pretty, atmospheric and both charmingly done. Mme. Flagstad, whom Kirsten described as their teacher, piano-accompanied them for the duets. Her share contributed little actually to the stint, but was a showmanly touch. So was the whole date, for that matter.

Guest on the same program was Alexander Woollcott, who was paid $1,500 by RCA t tell the listeners he wants to buy a bound volume No. 16 (1894-95) of Harper's Young People magazine. It took him about 10 minutes to tell about it, which was more than it deserved. Idea is that the author-commentator-critic-actor yens a sentimental return to his eight-years-of-age boyhood via the mag. As usual, the spiel was crammed with Woollcottism narrative—affected and occasionally intriguing. He was at some pains to inform the listeners he can be reached by addressing him at his home, just plain Vermont. If everyone hadn't told Woollcott he was a good story teller he might be a better on Self-consciousness halters hi *Hobe.*

### JIMMY SCRIBNER

**(The Johnson Family)**
**Serial**
**15 mins.**
**Sustaining**
**Daily, 9:15 p.m.**
**WOR, New York**

All character voices in this serial are handled by Jimmy Scribner. When heard and as family programs sub-par. Devoid of humor. Story not engrossing. Throwing it all back on the mere novelty of Scribner's vocal tricks.

ost serials have to be followed diligently to be understood. Some of the better ones have a knack of making each installment a story within a story. That's where this one fails, even though the usual foreword explains the action of the preceding episode.

Various personalities assumed Scribner are, however, clearly vorced in tone, etc., and are easily understood, but he sometimes shifts from one to another too fast. Brief pause between would be better. At present comes over like a monologue. One of his charac rs, that of th head of the family, is pretty close to the style of Andy of Amos 'n' Andy.

### 'SWINGOLOGY'

**With Paul Leash's band, Monroe, 'Sophisto-Kats,' the 'Bachelors,' 'Merri**
**Music, Songs**
**30 Mins.**
**Sustaining**
**3:30 p.m. Saturdays**
**WWJ-NBC, Detroit**

After several months' tryout on WWJ, Detroit, this half-hour 'Swingology' show is now being piped to NBC Red, with the Southern supplementary net tossed in.

Show's zippy within the swing category, and it brings to light local talent of merit. Initial airing abetted by presence of Vaugh Monroe, baritone with Johnny Hamp's band, current at Book-Cadillac, Detroit.

Built around a 'college' moti with 'swing classes leading to a degree of bachelor of swing,' show has benefit of expert production by Jack Hill and nifty arrangements by Don Preston. Especially good work is turned in by Paul Leash's studio band, and ditto for the 'Sophisto-Kats,' 'Bachelors' and 'Merrimaids,' WWJ warbling groups. *ete,*

### MUSICAL MEMORY CONTEST

**With Norman McKay**
**30 Mins.—Local**
**Sustaining**
**Wednesday, 9 p.m.**
**WQXR, New York**

Variation of the Sammy Kaye-Kay Kyser gag. Norman McKay's quiz is on classical music, titles, composers, differences between musical themes, types of music, instrument identifications, etc. Has all the usual appeal of the myriad I.Q.'s. However, that must be limited.

Listeners submit queri answers and later participate, if they want to. Cash prizes and printed monthly station programs go to winners.

Identification of music, etc., is done to piano accomp for few bars. McKay's handling of participants enlivens proceedings and avoids any embarrassments. *Hurl.*

**WARNERS' ACADEMY THEATRE OF THE AIR**
**'ONE-WAY PASSAGE,' with Ronald Regan, Gloria Dixon, Henry O'Neill and others**
**Transcription**
**30 Mins.**
**GRUEN WATCH CO.**
**Friday, 9:30 p.m.**
**WMCA, N. Y.**

Warner Brothers' Academy, alias Gruen Watch, proved its merit in this broadcast which was a well produced and well-acted air version of Robert Lord's 'One-Way Passage.' Film won an Academy award in 1932. Recordings are made in Hollywood.

Ronald Regan was cast as Dan; the convict and Gloria Dixon as Joan, who develop a romance headed for frustration. Henry O'Neill was the doctor. ost of the action was set on the return trip from Shanghai. There were two acts with the Gruen advertising sandwiched between.

Jack Warner was on for a brief talk to say that the firm had always hestitated to give its academy student actors any publicity although secret performances had been given for the firm's execs during the past five years. Robert Lord, the author, said he was nervous, and Dick Abram, who is scheduled for the next broadcast in the series, also spoke briefly.

Program was tight job of radio dramatization, well produced and compelling.

**ANDREANA CASELOTTI**
**('Snow White')**
**Songs, Talk**
**SANKA**
**Thursday, 7:30 p.m.**
**WABC-CBS, New York**
*(Young & Rubicam)*

iss Caselotti, creator of the heroine role in 'Snow White,' is emerging from anonymity. Unbilled on the screen and unknown to the public the sheer popularity of the Disney film novelty has created a commercial value for and a curiosity in the femme lead. Her appearance on the Sanka 'We, The People' show preceded a booking at Chicago's College Inn.

It was a slick booking for the program. On the human equation alone that would be true. That the girl handles herself very well, both in talking and in singing, suggests that other radio appearances may be in order. And that Sanka got entertainment as well as novelty. In the nature of things, on a program such as 'We, The People,' this isn't always possible, although the production staff, headed by Hubbell Robinson, does artfully trick up a lot of the stuff so that the amusement potentials are enhanced.

Remarkable little girl quality of Miss Caselotti's voice registers with exact fidelity over the radio as upon the screen. It will be welcomed on sheer familiarity. While nobody could predict the time element that might be a limiting factor to Miss Caselotti's career at the present time she's a good bet. But lacks buildup and name because of the absence of screen credit in the first instance and publicity mention until now.

On the same program was Paul Vincent Carroll, Irish author of the stage play, 'Shadow and Substance,' who said nothing in particular in a pleasant brogue; Dr. Rene Kraus, allegedly just off a ship from Austria, who told how Hitler put Austria and Schuschnigg in his pocket; a 96-year-old clergyman, a 119-year-old woman and the claimed purchaser of the first automobile, Major Post.

Some question must arise in many minds as to the credentials of the persons. Mrs. Flora Williams practically guaranteed disbelief in her 119 years when she confessed she didn't know how old she was at the time of her marriage and didn't take much account of such matters. First car owner carefully avoided dates that could be challenged.

Other programs dealing in remarkable events and people, including Ripley, have been similarly vague of late. It would appear that failure to authenticate would boomerang after a time. *Land.*

**STOOPNAGLE and DONALD DIXON**
**Comedy, Songs**
**15 Mins.; Sunday**
**BROMO-SELTZER**
**WOR, Newark-New York**

Col. Lemuel Q. Stoopnagle (F. Chase Taylor) sans Budd, now has Donald Dixon as foil and vis-a-vis. Dixon is a somewhat serious singer, of nice voice, so it sounds like a contrasting enough combo.

Somehow it doesn't quite work too happily. It's chiefly due to the too serious note injected by the baritone 'Night and Day' type ballad is his forte, but when he tees off vocally with a Paul Robesonesque ballad, something about 'I'se Gwine to Heaven,' it just doesn't blend.

Stoop's screwball brand of comedy brooks no serious compromise. It's all gibberish, studiously inane, spotty but effective. On this, the second lap of the new series, the impression wasn't as socko their debut on behalf of r - Seltzer. Somehow the s peace with the Dutch Tad and Swede (all by Stoopnagle) sweepstake - inning family didn't click.

By and large it's a refreshing and unique twosome, but production pattern needs some fixing. For quarter hour groove early in the evening of a Sunday it's okay. *Abel.*

## TALENT MILLS

### No. 8—WGY, Schenec

ay back when radiophone was the latest 'craze' (almost as popular as put-and-take and mah-jong), the phrase 'This is the General Electric Station, WGY, Schenectady,' became the college yell of what by 16 years later, is a consi alumni.

Kolin Hager started as the 'Voice of WGY' and has stayed on ever since as the station manager. A record or near-record in a new biz that has also been a biz of dizzily rapid personnel turnover.

Rosaline Green, James Wallington, Louis Dean (now Campbell-Ewald exec), Frank Singheiser, Clyde Kittell, Roland Bradley and Tom Lewis (Young & Rubicam) all learned to distinguish between serious matters, like participating announcements, and frivolous considerations, like ing piano fills, at WGY.

Acting was the long suit of WGY in the early day. Late Edward H. Smith steered this. Of dramatics, musicals and hillbillies WGY had more than the average and an artists bureau to boot. Only one comedian emerged from the dignified G.E. environment, however. That was Waldo Pooler, professionally Joe Peno, now with WTAM, Cleveland.

Bob Stone of NBC Thesaurus, Bill Fay of WHAM, Rochester; Andrew Kelly, 'The Horse Sense Philosopher'; Caspar Reardon, the swing harpist; David Buttolph, now a cinematic musical director, are from WGY.

Leighton & Nel , Schenectady advertising agency, is staffed completely by fugitives from WGY and DeRouville agency in Albany has another, Marjorie McMullen, as radio director.

**DOC SCHNEIDER'S TEXANS**
**Hillbilly**
**10 Mins.—Local**
**Sustaining**
**WGY, Schenectady**

On first week of Schneider's return engagement, with a different troupe, his local programs were not up to standard established during previous stand. However, a shift to 7:35-7:45 spot daily brought an improvement. Clipping of time necessitated a brake on Schneider's chatter and alleged comedy with 'Ida May,' Kentucky mountain girl.

It is a faster moving turn in 10 than in 15 minutes. On an outside pipe to NBC red stations, at 8:15, Schneider uses some of the same numbers, plus additions, but he can do none of the p.a. spieling which slow up local shots. Sch ider jokingly but truthfully stated, on one shot, that p.a.'s were troupe's bread and butter.

Texans forte, with present personnel, is instrumentlal work. Best voice in the organization belongs to a WGY singer, Vicky Colamaria taken on here. *Jaco.*

**MAURICE RANDALL**
**Garden Talks**
**5 Mins.—Local**
**DANKER, FLORIST**
**1:15 p.m., Sunday**
**WGY, Schenectady**
*(De Rouville)*

Randall, a popular member of WGY Players in the days they blazed a path in radio drama, returns on this program after a long absence from 790 k.c. band. Only flaw is that some well meaning adviser apparently suggested he be dignified and impressive. Result: Randell, when caught, sounded affected—like an actor in character rather than as a natural speaker.

Gardening being as much a matter of the hands as of the head, there is no reason for an adviser on it to be cerebral or arty. Randall possesses a good voice and a clear delivery. With his experience, there should be no difficulty in hitting a natural tone and manner. Booklet offered. *Jaco.*

**'SWAPPER'S CORNER'**
**With Ray Rich, Harry Clark**
**MAC PLAN**
**Wednesday, 7:45 p.m.**
**WPRO, Providence**

Rural New Englanders with f for swappi are reported going big for this one. Offers made with code letters. Rich nd Clark rapid-fire ad lib entertai ing. Program in 13th week carries over ir old magazine and newspaper idea.

Among swaps offered last week were potato chip chopper for rocking-chair, 1929 Ford sedan for tractor disk narrow, black broadcloth coat for a sextant, pair of at oars for an auto battery (with one-year guarantee), bike for a double bass violin. *Malo.*

**BUDDY CLARK**
**With Frank Novak Orchestra, Ted DiCorsia, Ann Elstner, Naomi Campbell**
**15 Mins.**
**LUCKY STRIKE**
**M-W-F; 6:45 p.**
**WOR-Mutual, New York**
*(Lord & Thomas)*

uddy Clark, who has attracted attention in the last couple of years as a pop singer, bobs up under strange auspices and even stranger (for the auspices) production surroundings. Impresario George Washington Hill has gone a long way experimentally in okaying a 'musical boarding house' as the scenario for a singer to work, strive, warble at convenient intervals and no doubt in the richness of time to fall in love. Love was quite emphatically hinted as a possibility. And love on an American Tobacco show is one of life's little surprises. John Tucker Battle is authori ; George McGarrett producing.

Some years ago, when 'Music at the Haydns' was bravely trying to do something different and getting a kick in the slats for its daring, the production trick was to populate an apartment house with persons of assorted talents and emotional problems. Open a window and somebody was singing an ari Open another window and a romantic piccolo player needed stopping from a suicide attempt.

In the Buddy Clark story its doors that open and give glimpses of quick-to-sing and emotionally upset individuals.

It is perhaps unfair to judge this program on its first quarter hour devoted altogether to setting the stage for what's to come. However, it is within the province of constructive comment to say that the boarding house slavey with a cockney dialect is close to the line of phoney-baloney characterization that is pretty 'dated' in histrionics, radio or otherwise, and definitely pre-Clyde Fitch.

Just before the sign-off Clark got hot momentarily. Fingers crossed on this one. *Lan*

**ZUMBA**
**Transcription**
**15 Mins.**
**CELLIX-STRONGLITE**
**Three times weekly**
**2GB, Sydney**

Okay thriller for the kids with American players. Spotted on the early evening session. Secures plenty of attention from the grown-ups, too. Dialog is okay and moves along at a nice pace, with the suspense spotted right for the carryover. Selling chatter comes before and after each installment to plug a local product. It's not too long and takes nothing away from the entertainment value. Station announcer heard had nice style of delivery.

Although transcriptions are gradually slipping from the best night spots in Australia this one, nevertheless, should have little difficulty in finding a place on other units throughout the Commonwealth.

Right now the kids are strong for it. Regarded as a top American importation. *Rick.*

**RAYMOND R. CAMP**
**Hunting, Fishing Talks**
**15 Mins.**
**Sustaining**
**Monday, 7:45 P. M.**
**WEAF-NBC, New Yor**

Raymond R. Camp, by-liner of 'Wood, Field and Stream' for the N. Y. Times, broadcast 'Hunter and Angler' Talks for some weeks on the 11:30-45 a.m. Sunday spot over WEAF and NBC. This week program moved to a Monday night block, theory being that potential listeners, especially fishermen, would now be out of doors on the Sabbath. Chatty and will hold the interest of those at whom it is aimed.

Occasionally a trace of imperfect breath control creeps in, but dialers probably will not notice. Camp might give more attention to the question and answer angle of salvo. He is tabbed as a sports writer for a leading New York paper, not named. *Jaco.*

**HI-BOYS**
**With Max Ramey,**
**15 Mins.—Local**
**VAN CURLER PRODUCTS**
**8:45 a.m., daily**
**WGY, Schenectady**

Hi-Boys (Max Raney and Doyc O'Dell) have welded a moderately strong unit and built up a wide listening audience since they split away from Doc Schneider's Texans and returned to WGY for broadcasts and p.a. dates in 1936. They still are striving to improve the turn—a fact noticeable in sponsored shots. Introduction of comedy and novelty numbers, use of a vocal trio, and greater emphasis on ensemble si ing are the standout changes.

Highjinksing is fairly entertaining, but the hillbilly business tends to be a bit noisy and discordant. Of course, there are dialers who like it that way. Raney, O'Dell, and lim Owen solo and harmonize as 'Bunk House Trio.' Flossie (wife of one of the principals) also vocalizes in a pleasant but not a big voice. O'Dell does a 'Pappy' character, and Pat Atton, slap bass player, Italian ialect. *Jaco.*

# Variety Has Been Reviewing Radio For 15 Years—Started May 10, 1923

*An increasing amount of research into ra io's history prompts the pri ing herewith of the first radio program ever reviewed by this publication. To the best of* VARIETY'S *knowledge this review was the first of its kin ever printed anywhere. Certainly in a trade paper.*

## Out of the Ether

*(This is the first occasion on w ich a review of a complete radio program has been attempted. The purpose of the review is to give such exhibitors who are conducting large houses of the calibre of the Capitol a line on the manner in which S. L. Rothafet is broadcasting and utilizing the radio as a business getter for the Capitol, New York.*

*At this house there is a microphone arranged to catch the orchestral music as well as the vocal numbers given on the stage of the Capitol; including the overture and ballet music, the accompaniment for the news weekly an , finally, the tabloid impressions of the various operatic and light operatic presentati ns.*

*While the feature picture is being shown the program is continued from the radio broadcasting studio which operates through the WEAF station.*

*The program is given only on Sunday evenings of each week.*

*The program herewith reviewed was presented Sunday night, May 6, 1923, beginning at 7:20 a concluding at 9.)*

Rothafel 'signs on' with a talk that reminds one somewhat of Will Rogers. It is away from the ster typed style of the average radio announcer, and Roxy informs those who are listening in that 'This is the Capitol theatre of New York, which is about to broadcast its regular musical program that is being presented for the week, and there will be other features.'

He then gives a brief sketch of what the regular musical program of the house is, also informing them as to the scenes in the weekly news, so that they can visualize in their minds the screen scenes according to the tempo of the accompaniment. All this is done in breezy fashion, with an occasional gag for a laugh. The introduction of the artists who are to contribute to the program is included in this talk. Then in a wait for the hook-up between the stu io and the stage for the opening of the orchestral overture the manager devotes his time to answering some of those who have written in to the Capitol management after listening to the concerts. This consumed exactly eight minutes.

The overture, 'The Dance of the Hours,' from 'La Gioconda,' opened the program at 7:31 and, together with the ballet present , ran 10 minutes; the news weekly followed, consuming 13 minutes, and then came the 'Impressions of 'Rigoletto',' running from 7:53 to 8:09. The 'i pressions' included three vocal selections, which came across the ether in splendid manner. This is especially so of the two solos given, the first, 'Caro Nome,' sung by Editha Fleischer, followed by 'La Donna e Mobile,' in which Frederick Jagel and Max Brefel alternate as the Duke. The quartet from the opera was less clear, due, no doubt, because the players were forced through the action of the business to turn from direct line with the receiving instrument. This concluded the regular program from the house bill, and thereafter the special contributions from the studio were offered.

Roxy, after again announcing that it was the Capitol Theatre, New York, through WEAF, informed the listeners there were a number of distinguished personages present to witness the broadcasting. He i duced several, including a radi spector, Mr. Bachelder.

Initial offering in the studio was the 'Romanza,' by Rubinstein, played by the 'cello, violin, iano and Italian whistles by four members of the Capitol's orchestra. It was followed by Douglas Stanbury, who sang 'Duna.' At 8:19 Edna Baldrich of Cleveland, a pi , did a classical selection, followed by a rag arrangement of 'When Will I Know?' which Roxy used for another laugh, replying, 'God Only nows.' Three inutes of cross-fire lib between Roxy and several of the artists lowed. It finally ter inat Betsy singing 'The Rosary.'

Betsy and Louise is the manner in ich Roxy speaks of two of the girl artists of the bill, and this sort of informal inti acy broadcasting relished by th ing-in fans, for it i way from anything else they get on their machines. 'There Is No Death,' sung by a ale member of the Capitol force, scored, followed by a 'cello solo, 'Somewhere a Voice Is Calling,' and, i turn, a song, 'Two Eyes of Gray,' sung by Evelyn. It was then 8:40.

With 20 minutes to go the gram continued with the conc meister of the Capitol orchestra, Eugene Dormonde Blau, offering a solo, followed by a duet, 'The Flatter,' sung by Betsy and Louise, on of the most pleasing numbers of the evening. Following, Betsy sang 'Cheyenne' (to prove that she came from Texas). At 8:50 Roxy made an announcement regarding Vanity Fair, the current week's feature at the house, and that Charles Ray in 'The Girl I Love' is to be presented next week.

The final number of the progra was offered by the Capitol's mi vocal quartet, running through chorus medley of old-time favorites, beginning with 'Auld Lang Syne,' and then, in order, 'Ta Ra Ra Ra Boom-de-aye,' 'The Bowery,' 'Sidewalks of New York,' 'Rosie O'Grady,' 'Bicycle Built for Two,' 'Comrades,' 'She May Have Seen Better Days,' 'While the Band Played On' and ' wn Where the Wurzburger Flows,' which was interrupted by a ice that proclaimed itself the censor and ordered it out, the routine concluding with 'The Olden Days,' and the signing off by Roxy coming at 9 sharp.

**CESAR SAERCHINGER**
**Talk**
**15 Mins.**
**Sustaining**
**Friday, 7:15 p.m.**
**WJZ-NBC, New York**

After several years as foreign representative for CBS, for whom he arranged radio coverage of big news events and mike appearances for the European bigwigs, Cesar Saerchinger recently came back to the U. S. and wrote a book about his experiences. He called it 'Hello, America' and it drew nice reviews. Now he's being given an NBC sustainer buildup on this Friday evening spot. Session is tabbed 'The Story Behind the Headlines.'

It's immediately noticeable about Saerchinger that his voice is not resonent. However, it isn't a hopeless flaw, for the listener soon grows accustomed to the sound of Saerchinger's voice and thereafter it is fairly pleasant. Diction is good. His ideas are clearly thought out and his remarks are informative and seem impartial.

Saerchinger had a tough break on last Friday's stanza, since he'd armed himself with a sheaf of background dope on the issue of the President's reorganization proposal. Then just before he went on the air the House killed the measure and he was left holding his satchel of material. However, after stating that the bill ha been tossed out by the House, Saerchinger went on to explain that the issue was a long-standing one and that it would undoubtedly come up again—and again and again. He then went back to the origin of the question and traced its history.

Good stuff, and Saerchinger has a chatty manner of delivery. But he needs to put on more of an act. All the name commentators have a definite style and air personality. Saerchinger needs to develop that end. It has little to do with the informati authenticity or authority of his co menting, but is the quality to captu e listener imagination. *Hobe.*

**BUD SPARKS**
**High School Re**
**15 Mins.—Local**
**Sustaining**
**Mon.-Wed.-Fri.,**
**WIP, Philly.**

Young school teacher, recent normal school grad., writes and gabs thrice-weekly resume of extra-curricular activities in about 25 city and suburban high schools. Includes sports results and prospects, both inter-scholastic and intramural, dramatics and social events.

On every show presents leader of some extra-curricular activity at various schools, such as football captain, head of dra atic group, ed of school paper, or some kid from the high schools who figured prominently in news of past week.

Sparks voice slightly rough and attempt o read script in Floyd Gibbons style sometimes skips b d has to go back, which ay w with more air experience. *He.*

# New York Agencies' Criticism, Via Variety, of 'Snoozing Stations' Provokes a Few Rejoinders

y WALTER RASCHICK

inneapolis, April 12.

Cut down from several thousand words on the subject the attitude of local radio execs is that the story in last week's VARIETY bearing the fighting headline: 'Don't-Wake-Us-Up Stations' backseat driving in its most offensively snooty New York manner.

'The trouble with ,' cracks one gent, 'is that they hang around too much with fancy advertising agencies in Manhattan that think they're in the broadcasting business. How about doing an article on 'Don't-Show-Us-Up' advertising agencies?'

Another broadcaster sai 'New York agencies for whom VARIETY is apparently acting as radio mouthpiece don't know what's going on west of Fifth avenue. Why should radio stations take their inquiries about local shows seriously. They ask what we've got to offer in live talent. It wouldn't matter if we had Jack Benny. They'd still send through chain break announcements.'

### Sacred Wor

Idea is that the east is too gosh-darn quick to disparage the west in particular and local radio stations generally on the matter of showmanship. Broadcasters hint that the word showmanship should pass advertising agency lips with apologies for their own sins which are not the trifling ccadillos of Main Street broadcasters but blunders on a symphonic scale.

One of those irked by the article was Stan Hubbard of KSTP, who found the lead paragraph of the VARIETY story especially annoying. This, it will be recalled by students who don't skip the text read:

'A surprising number of radio stations, many of them importantly situated and extremely prosperous, remain almost as helpless and as hopeless as they were five years ago so far as ability to develop, write, cast, direct or produce radio programs is concerned.'

KSTP's boss believes it is time someone takes up the torch for the stations and calls a spade a spade. He decries the aspersions about stations' unoriginality. 'There are agenci ,' says Hubbard, 'who continually carp about the station's lack of ideas, yet they themselves re so trite as to send out on regular schedule mimeographed letters asking for new ideas and n w programs. What is more unori inal than a mimeographed letter?'

Hubbard backs u is argument on KSTP's strides in development of talent by citing his station's 'Men of Notes' (now NBC's corts'); Grace an ic Albert (now NBC's 'Honeymooners'); NBC's 'Norsemen' and others who were once kept on station's feedbags as long as the station felt it could bear the tap. 'But to the advertisers at home,' moans Hubbard, 'this as hick talent, and not so good as that procurable on the networks.' When these aforementioned acts scrammed, their 'ibg-time' click was practically immediate.

As examples of program material purchased from KSTP by agencies for national network broadcasting, Hubbard cites the Pioneer Maple Syrup production for both spot and network, in which case KSTP's continuities were purchased; and the Model Homes program idea, which was paid for and then used practically all over the country.

'VARI .' scoffed another local exec, 'points to one lone oil man who wants a live talent show and can't get it. The petroleum fir is the exception—not the rule.'

## H'wood Hotel Register May Exhibit at N. Y. Fair

Hollywood,

egister which is sign lm players and other celebs appearing on Hollywood Hotel broadcast is wanted for exhibit at New York world's fair. But before Ward Wheelock will consent to it leaving his agency he is demanding full insurance against loss or damage by Lloyd's while on exhibition and in transit. Application for rates has been made.

Album of signatures is said to be the most complete of Hollywood's who's who in existence, gather over four years.

## *Here and There*

**Jean Parker,** younger sister of tenor Frank Parker, starting out as a warbler on WOV, N. Y. Sings Yankee and Italian songs.

**Baseball** games of Jersey City (Int. League team will again b aired over WHN, Y., with Joe Bolton handling. Standard Oil and General Mills will split sponsorshi

**Hugh M. Smith** handling local sales for KFRO, Longview, Texas. Formerly commercial manager at WAML, Laurel,

**Dick O'Dea,** v. p. of WNEW, N. Y., back from Caribbean cruise.

**Houghton, Mifflin,** publishers of the annual 'Best Short Stories,' compiled by Edward J. O'Brien, o. k.'d the WPA radio project using stories free for air dramatizations in Government group's Sunday night series ov . Mutual net.

**Seggy Jones** and His Coon Hollow Hillbilli , WKY, Oklahoma City staff unit, set for engagement at Slathers niteri

**Charles Penman,** production n-ager and director of 'The Mummers' at WJR, Detroit, becomes U. S. citizen. Born in England, comin to Detroit in 1930.

**Ted Blake** added to Victor rewing 'Night at the Inn' show on WCAE, Pittsburgh. He's m.c.'ing the weekly half-hour musical program.

**Betty lls,** traffic manager at WCAE, Pittsburgh, who recently became a bride, is resigning her post with the Hearst station next week.

**Frank Gallup** announcing 'Gang-Busters' Wednesday, and Philharmonic Concert, Sunday.

**Manuel L. Ruderman** has opened Continentat Radio Servi in N. Y. Former v-p of Radi nd Film Methods.

**Marjorie MacPherson** KIRO, Seattle, with 'Morning Memoranda' program, which dishes out femme fodder between blur for Binyon Optici

**Jack Field,** station at WPTF, Raleigh, N. icago digging for biz.

~~**George Earl Wilson** named first~~ production manager at KWTO-KGBX, Springfield, Mo. Stepping into Wilson's former spot as program plotter is Terry Moss.

## Basketball Statistics

Ft. Wayne, April 12.

Fort Wayne radio devoted 49 hours to the recent Indiana state basketball tournament, it is shown in a report issued by estinghouse WOWO.

Sectional, regional, super-regional and state finals were aired over both WOWO and WGL, consuming 23 hours each. South Side high school of Fort Wayne won state title and WGL aired homecoming celebration for one hour. The celebration continued for three days and station was forced to carry an additional two-hour report of the festivities.

# GENERAL MILLS SPRING RALLY

Chicago, April 12.

**(Local sportscasters assembl in Chicago Sunday and Monday for instructions in handling sponsored baseball for General Mills and Socony Vacuum.)**

Altman, Di
Andrews, Okla.
Bellows,
Baker, N. Y.
Barber, Red—WSAI, Cincinnati, hio (WHIO, Dayton, Ohio, synchronized).
Burnes, Don—President St. Louis Browns.
Bing, Dr.—American Medical Association.
Blanchard, Lowell—WNOX, Knoxville, Tenn.
Bolton, . Jersey Ci .
Bozeman, KWKH, Shreveport, La.
Brands, E. ditor, Sporting News, St. Louis, Mo.
Brown, Willia Iowa,
Burnett, Hal—Publicity, WBBM.
Card, Clellan—WCCO and WMIN, Minneapolis, Minn.
Casey, Frank—Adv. Mgr. Wadhams ivision, Socony Vacuum Oil Company.
Coleman, Maurice—WATL, Atlanta, Ga.
Craig, Benny—KLRA, Little Rock, Ark.
Dancer, M.—Blackett-Sample-Hummert, Chicago, Ill.
Davis, D. .—President General Mills, Inc., Minneapolis, Minn.
Davis, Lee—WCBM, Baltimore, Md.
Desmond, Connie—WSPD, Toledo, Ohio.
Dill, Mar—WTAD, Quincy, Ill.
Dill, Roy—Adv. Mgr. Lubrite Socony Vacuum Oil Company.
Dudley, James—WIND, Chicago.
Dyer, Bill—WCAU, Philadelphia.
Flanagan, Pat—WBBM, Chicago.
Fonseca, Lew—American League.
Frick, Ford National League.
Gallagher, Eddie—KTUL, Tulsa, Okla.
Gale, Sam—Director of Advertising, General Mills, Inc.
Griffiths, Bill—WJW, Akron, Ohio.
Gibson, James—WAGA, Atlanta, Ga.
Griffin, Frank—Vice-President elling-Getchell, New York.
Griffin, Lloyd—Knox-Reeves Advertising, Inc., Minneapolis, Minn.
Graney, Jack—WCLE, Cleveland, Ohio.
~~Grosvth, H. D.—Knox-Reeves Advertising,~~ Inc., Minneapolis, Minn.
Hale, Alan WISN, Milwaukee, Wis.
Hanson, lmer—KFJM, Grand Forks, N. D.
Harper, Earl—W CW, Newark, N. J.
Harridge, Will—President American League.
Harrington, Bill—KDAL, uluth, Minn.
Hartman, Harry—WCPO, Cincinnati, Ohio.
Helzer, R. W.
Herrin, Windy—WTOC, avannah, Ga.
Higgins, George—WTCN, St. Paul, Minn.
Hodges, Russell—WIND, Chicago, Ill.
Holbrook, R. .—Compton Advertising Agency.
Hunt, Wayne—President, Knox-Reeves Advertising, Inc., Minneapolis, Minn.
Johnson, Harry—KFAB, Lincoln, Neb.
Jordan, Charlie—WRR, Dallas, Texas.
Kelly, James T.—Knox-Reeves Advertising, Inc., Minneapolis, Minn.
Laux, France KMOX, St. Louis, Mo.
Lingle, W. L.—Procter & Gamble, Cincinnati, Ohio.
Lochman, Walt—KXBY, Kansas City, Mo.
Lund, Vic—WTAR, Norfolk, Va.
McDonald Arch—WJSV, Washin D. C.
McTigue, Harry—WHAM, Rochester, . Y.
Miller, Dale Indianapolis Baseball Club.
Mitchell, Jack WRR, Dallas, Texas.
Neblett, John WBNS, Columbus, Ohio.
Nobles, om—WAPO, Chattanooga, enn.
Ormsby, mmet American League.
Perry, Norman—WIRE, Indianapolis, Ind.
Pickett—Socony Vacu m l Company, Syracuse, N. Y.
Pottle, en—Knox-Reeve Advertising, Inc., Minneapolis, Minn.
Quigley, Ernest C.—National League.
Rand, Grenfell—WABY, Albany, N. Y.
Rathbun, Jack—WJAX, Jacksonville, Fla.
Rawson, Chas.—President Rawson-Morrill, Inc., Atlanta, Ga.
Robinson, R. N.—nox-Reeves Advertising, Inc., Minneapolis, Minn.
Sarles, John H.—Vice-President Knox-Reeves Advertising, Inc., inneapolis, Minn.
Samuelson, C. S.—Advertising Manager, Grocery Products, eneral Mills, Inc.
Schracht, Al.
Scott, Harry—Scott-Telander Advertising Agency, Milwaukee, Wis.
Searles, Neil—WISN, Milwaukee, Wis.
Sears, C. E. Adv. Mgr., White Star Division, Socony Vacuum Oil Company, Detroit.
Sexton, Morgan—WCCO and WMIN, Minneapolis, Minn.
Shaughnessy ague.
Sherman, Val .
Shumate, Gene Des Moines, Iowa.
Slocum, Bill— Minneapolis, inn.
Snyder, C. ew York City.
Staples, Ed—St. Louis Cardinals.
Stemmler, Nick—WSYR, Syracuse.
Stout, William WHAS, Louisville.
Thomas, G. C.—Vice-President General Mills, Inc., Minneapolis, Minn.
Torgerson, K. P.—Knox-Reeves Advertising, Inc., Minneapolis, Minn.
Trautman Geo.—President Americ sociation.
Tucker, F . Advertising Manager, Goodrich Company, Akron, Ohio.
Tunstall, Cotton Adv. Mgr., White Eagle Division, Socony Oil Company, Kansas City.
Ware, alter H.—Lubrite Division, S Vacuum Oil Company, St. Louis, Mo.
alter, George Advertising Manage Socony Vacuum Oil Company, New Yor City.
Wood, L.

# PRE-SEASON DODGER-YANK AIRINGS

icago, April 12.

Breaking all precedent, the New York big league games will be broadcast on a play-by-play setup in short-term deal arranged by WOR local office and General Mills. Robert J. Barrett, Jr., head of WOR sales staff here, in a special confab with Cliff Samuelson of Gen ral Mills yesterday (Monday) set final details whereby the flour firm wilt play-by-play etherize the pre-season wrangles between the Brooklyn Dodgers (NL) and the New York Yankees (AL). Also by special dispensation, the station has obtained permission for broadcasting of the season's opening tussle between the Dodgers and the New York Giants (NL) for the same sponsor.

Understood that Brooklyn team will get $2,500 on the line for the broadcasts. WMCA broadcast York games a couple of years ago but that was not from the playing field and without official permit.

## $10 LONG DISTANCE SAVES KMOX $90 TAP

is, April 12.

Merle S. general manager of KMOX, maneuvered the station out of a $100 tap when France Laux showed up in Lakelan Fla., to broadcast a baseball game betw n the Detroit Tigers and Cardinals for General Mills. The Lakeland Chamber of Commerce had sewed up all the broadcast rights and the president demanded $100 to let Laux go on the air.

Laux phoned Jones. Jones called Sam Breadon of the Cards, who threatened to boycott Lakeland from now on if the C of C man insisted on the dough. Jones followed up with a long distance call to Lakeland that resulted in the C of C head getting a chance to exploit the winter resort advantages of Lakeland over KMOX and abandoning the 'touch' idea. Jones saved $90 as the convincing phone call cost $10.

## Bob Hope for Allen?

Hollywood, April 12.

Reported here that Bob Hope is under consideration by Young & Rubicam agency to take over the summer spot for Ipana-Sal Hepatica while Fred Allen lays off.

Walter O'Keefe did the pinch hitting last year.

## Boncilla for Radio

Chicago, April 12.

Boncilla beauty preparation account has been snared by the Schwimmer & Scott agency here, which is slapping product on the ether immediately.

Readying spot spread for product through midwest and east.

### Benay Venuta Own Producer

Benay Venuta's WOR full hour sustainer will shift from 2 to 3 p. m. Sat., April 16, then jump to a Sunday afternoon at 4 p. m. slot April 24.

Singer han s program's entire production herself, even doing announcements.

OUR THIRD YEAR
WRITING FOR AND WITH
RADIO'S NUMBER ONE COMIC-SHOWMAN
EDDIE CANTOR
SIDNEY H. FIELDS JOHNNY RAPP
SAM KURTZMAN BOB ROSS

WBNS
Now
5,000
WATTS
WBNS
COLUMBUS JOHN BLAI

# We Can Paint Our Coverage Map In One Color!

In a large midwestern university a couple of graduate students pulled the facts and figures in the VARIETY RADIO DIRECTORY into mor pieces than a mah jong set, and made a special thesis out of them . .

In scores of other colleges and municipal librari copies of the VARIETY RADIO DIRECTORY ilable to students and members of the radi industry

In England, Continental Europe, South Ameri Japan, and Australi —throughout the entir ivilized world — broadcasters, editors, students, and persons otherwise associated with radio have purchased copies of the DIRECTORY (at $5 per copy) . . .

That's like having a transmitter in Iowa and getting fan mail regularly from Singapor It seems to speak pretty well for the transmitter (or, case, the book). It is the sign of power—the ability to provide that "unearned increment" which unmistakably points to solid coverage on home ground.

And her is that coverage:

Advertising agencies controlling 96% of all national radio money each have from one to 15 copies of the VARIETY RADIO DIRECTORY, (at $5 the copy).

That's rage wher it counts. That's what the rate card is based The "unearned increment" ith compliments — the rgument-clincher, if you please, as to power and readership.

Volume II of the DIRECTORY is currently in preparati Consult your nearest VARIETY office for details on reaching the men WHO PILOT RADIO'S MONEY.

**VARIETY RADIO DIRECTORY**

NEW YORK
154 West 46th St.

CHICAGO
54 W. Randolph St.

HOLLYWOOD
1708 No. Vine St.

LONDON
t. Martin's Place

ADVERTISEMENT

*A Challenge to National Advertisers and their Advertising Agencies:*

According to "SALES-MANAGEMENT" 1938 Survey of Buying Power:

BALTIMORE AREA'S EFFECTIVE BUYING POWER is

$651,239,000

BUT

ACTUAL RETAIL SALES in 1937

were only

$387,438,000

"LONELY DOLLARS" awaiting the right appeal

$263,801,000

The right appeal is up to you--the right place for the appeal is WFBR--Baltimore's oldest and most popular radio station.

*In Baltimore, it's*

WFBR

ON THE NBC RED NETWORK

NATIONAL REPRESENTATIVES EDWARD PETRY & CO.

# Agencies—Sponsors

**McCurrach Organization, Inc.**, New York (manufacturers of neckwear) goes to N. W. Ayer agency. Type of campaign or media not yet selected.

**New accounts** and renewals on WLW, Cincy:

**Sayman Soap Co.**, renewed for indef run its thrice-weekly 15-minute morning hillbilly show, with talent from the Crosley staff. Benson & Dall agency.

**Foley Cough Syrup** has extended for 13 weeks sponsorship of newscast by Peter Grant; Tuesday, Thursday and Saturday, 8:15 a. m., through Lausen & Soloman.

**True Detective** ysteries, sponsored for more than a year by Macfadden Publications, starts March 29 under banner of Listerine Shaving Cream and will feed to the Mutual web. Lambert & Feasley.

**Griffin Co.** will blurb its shoe polish via the Merry Makers, musical combo from the Crosley staff, Monday through Friday at 8 a. m. for 30 weeks, beginning April 4. Account placed through Bermingham, Castleman & Piece, N. Y. C.

**Reliance Mfg. Co.** starts April 4 to plug work shirts or hillbilly stanza, Thursday, Friday and Saturday at 8:15 a. m. Talent includes Pa and Ma McCormick and Brown County Revellers from Crosley staff. Mitchell-Faust agency, N. Y. C.

**Interstate Nurseries** is using four 15-minute forenoon programs weekly by Crosley talent for an indef run.

**Sterling Casualty Co.**, Chicago, on thrice weekly with a 15-minute early morning rural show. Started March 14, runs indef.

**Manhattan Soap Co.** starts April 13 with an electrical transcription program, Wednesday and Friday at 11:30 a. m.

**Quaker Oats**, through the Sherman Ellis agency, starts the Dick Tracy e. t. series, Monday through Friday at 6 p. ., for 13 weeks.

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**WISN, Milwaukee**, will again this year carry baseball games of local American Assn. club. General ills and Wadhams Oil Co. will jointly sponsor.

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**Station WOW**, Omaha, has several new food accounts.

**Paxton & Gallagher** bought half hour musical clock spree six days weekly.

**Barmettler iscuit Co.** has signed to sponsor Foster May's man-on-the-street program six days weekly for six months.

**Peterson Baking Co.** bought 'Corntussel News,' transcribed series, six days weekly.

**Uncle Sam Breakfast Food** underwriting Junior Round Table, fift minute blast every Thursday.

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**Strauss Stores**, string of automobile accessory retailers, start broadcasting dramatized re-enactments of local big league ball games from WMCA, N. Y., April 19. Games will be on the air from 6:45 to 7 p.m. Brooklyn, Yanks and Giant games will be re-enacted, selection depending on which team is playing in town.

Strauss last week sponsor the playoff frays between the two local hockey sextettes, N. Y. Rangers and Americans, as a means of advertising coming baseball airings.

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**Axton-Fisher** (20-Grand ciggies), new program, 'Let's Celebrate,' on WRC, Washington, D. C.

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**New Business** at WINS, N. Y.

**U. S. Clothing**, twelve 5-minute news broadcasts, direct.

**Shainucks**, same broadcast periods, direct.

**I. J. Fox, Inc.**, six 30-minute period on Song Contest, direct.

**General Supply**, six 5-minute periods on Alan Courtney's show. William Sheer agency.

**I. Lewis Cigars**, six 15-minute periods for race results and six 15-minute periods on sports by Milton Lewis agency.

**Rodney Benson, Inc.**, Plymouth and Dodge dealers, six 15-minute periods on Platter Chatter. Direct.

**Sun Taxicabs**, spot announcements. Direct.

**Antonia Beauty Shops**, six five-minute periods on Alan Courtney's show via Friend Advertising Agency.

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yan news ommentator program on WGN, Chicago, renewed by Bathasweet. Three times weekly in the forenoon.

---

**East Des Moines** has a new program on KSO of a musical clock nature, from 8:30 to 9 a. m. Participating are the Anderson furniture store, Gordon grocery; Harry Hoffman, cleaner; Leibsle Hardware and Paint Co., Morgan Clothing Co., and Wilkins' Appliance shop.

---

**Rev. John Zoller**, Detroit, through Aircasters, Inc., Detroit, beginning March 27 for 26 periods of 30 minutes each, Sundays, 10:30 a. m., over WHO, Des Moines.

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**Slater Distributing Co.**, Storm Lake, Iowa, beginning April 5, for three periods of 15 minutes each. Live talent, Faye and Cleon. Tues., Thurs. and Sat., 11 a. m. WHO, Des Moines.

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**WKY, Oklahoma City**, new biz:

**Penn Tobacco**, 15 mins., daily except Sunday, p. m. Sports Review with John Shaffer.

**Quaker Oats**, 15 mins., daily except Sat. and Sun. 'Dick Tracey,' e. t.'s.

**Oklahoma City Approved Laundries**, 5 mins., 3 per week. 'Don't You Believe It.'

## WATER-SOFTENER CONSIDERS RADIO

Syracuse, April 12.

Permutit Company (water-softeners) trying 'test campaign' with early eve program over WFBL. 'Bud' Squires, station news commentator, doing job. Test showing may result in si ilar campaigns all over country, based upon local results.

National set-up for outfit in Syracuse with distributors over country; firm enlarging display rooms and sales forces since commencement of radio campaign. Compton Agency handling account out of N. Y.

## PICKFORD, CBS SUED ON SCRIPT PIRACY CHARGE

Los Angeles, April 12.

Plagiarism of his radio script is charged by Cyril Charles Maison in $250,000 suit filed against Pickford-Lasky Productions and Columbia Broadcasting System.

Maison alleges his script on 'Trial of Captain Kidd,' rejected by CBS in Chicago in 1936, was later used by Mary Pickford without his knowledge on the 'Parties at Pickfair' program for Ice Industries in that year. Show aired nationally over CBS.

## WTAM Sportcaster Beaten

Cleveland, April 12.

George A. Hartrick, WTAM sportscaster, is in hospital recovering from attack by two strangers who beat him up severely. Nose was fractured, lips badly lacerated and physicians said he had a possible fractured skull.

Well-dressed toughs also kicked him on ground while Betty Wood, singer, and his companion, screamed for help. Announcer said he didn't recognize two men and couldn't give any reason for the mystery assault.

### Atlantic in Balto

Baltimore, April 12.

WCBM here will air baseball games of Orioles under joint sponsorship of Wheaties and Atlantic Refining. Commercial was formerly entirely dominated by Wheaties but with increasing distribution facilities for Atlantic in this territory; oil company will participate this year.

Lee Davis to handle mike.

### Betty Roberts' Travels

Detroit, April 12.

Betty Roberts, conductor of WJBK's woman's program, 'What's Happening,' is off on the first of several jaunts to gather material for program. Will first visit Rockefeller restoration of Williamsburg, Va., to get data for talks available to women's clubs in Detroit.

Early this summer will take trip to Alaska along with George Buchanan party of kids.

### KYW Production Realignments

Philadelphia, April 12.

Shifts in program department at KYW move gabber John Thorp from night supervisor to ET's and sound effects. He replaces Arthur Hinett, organist and piano accompanist. Hinett will devote full time to his programs and to building up new music library.

Spieler Gordon Heyworth has been named night supe.

### Just Off in East?

Philadelphia, April 12.

Sayre M. Ramsdell, Philco v.p., just back from the Coast, expressed amazement at difference in biz there to what it is in the East. Declared recession has hardly hit the West Coast, which leaves business men there wondering what all the shouting's for back East.

Ramsdell looks for recovery starting on the Pacific and working Atlantic-war . 'Business in the Far West,' he sai , 'isn't suffering from any lack of confidence or attack of fear. Business leaders there feel that a national upswing is due within a few months, and some, due to the excellent conditions prevailing there, are at a loss to comprehend the full extent of the slump elsewhere.'

## TONY MARTIN LOSES SUIT VS. WHEELOCK

Hollywood, April 12.

Tony Martin lost his suit against the Ward Wheelock Agency to enforce payment of $7,600 on radio contract.

Actor-singer claimed agency repudiated 'Hollywood Hotel' contract which had 19 weeks to go at $400 per.

Court upheld defense of agency contract was never consummated due to controversy ith 20th-Fox studio over credit li in broadcast.

## SANCTION WKY STUDIO BAND IN BALLROOM

Oklahoma City, April 12.

By a vote of 39 to 26 local AFM members passed on a resolution allowing radio staff bands to play outside engagements, ending a three months' deadlock which developed when one section of the union, led by George Ande, challenged the booking of WKY's staff band into the newly opened Skirvin Hotel Crystal Ballroom.

A previous ballot had ended in a tie.

## POPSICLE WAXERS SUPPLEMENTING CBS

Popsicle will buttress its forthcoming summer live program over CBS with a spread of wax to Coast areas not covered by Columbia show.

'Popeye the Sailor' iscs will be spotted over stations east of the Rockies, starting in mid-May. Station list now being made up by Blackett-Sample-Hummert, agency on the account.

Transcriptions will be quarter-hours, riding thrice weekly, daytime.

### WFBL Sells Several

Syracuse, April 12.

Three local furniture firms bought local shows on WFBL last week. Marksons took 'Auctionaire.' Roys' bought 'Value,' and Wesley's signed up for 'Folks at Home.'

Also peddled by station were pair of other programs, 'Sisters of the Skillet' to Bresee-Chevrolet and 'Modern Kitchen' to Community Stores.

### Kearney's Expansion

Lincoln, April 12.

KGFW, Kearney station, is in a rebuilding stage after receiving permission to increase daytime power.

New equipment, including an 180-foot antenna tower, is being installed and nine people have been added to the staff.

### Karol on Regional

New Haven, April 12.

ords of John J. Karol, research director for CBS, at New Haven Advertising club April 8 will be carried by WELI, New Haven; WATR, Waterbury; WNBC, New Britain; WSPR, Springfield; nd WCOP, Boston.

Collaboration of five stations has been more frequent lately, with some talk of tagging hook-up 'New England Network.'

### Yvette Rugel's Niece on WDAS

Philadelphi , April 12.

Vivienne Rugel, niece of Yvette Rugel, doing weekly chirp sesh on WDAS.

She's 17.

## No Rate Tilts This Spring In Midwest

Chicago, April 12.

For the first time there are practically no increases in rates by radio stations. Following many years of annual hops in time tariff, the stations have about called a halt, though it is admittedly temporary.

It has generally been the practice to put a rate hop in every spring to take effect six months later, a stunt which is figured to influence advertisers to signature contracts before the new rates went into actual effect.

At present, however, there is general agreement among stations that the time now is not favorable for any mention of rates, much less rate increases. This follows a slump-off in business among all stations, and especially on spot accounts.

Aim of the stations at present i not to scare any potential advertiser away by mentioning rate increases.

## ORANGE CRUSH SUMMER ACCOUNT FOR WAXERS

Orange Crush will likely underwrite waxed versions of 'Jerry of th Circus' for a campaign this summer. Young & Rubicam has yet to get a final okay on the show and the list of spots.

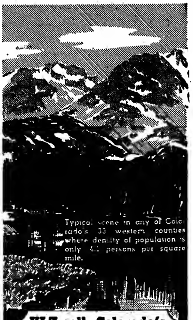
Young & Rubicam meanwhile is working on a transcription series to supplement the minute announcement campaign being waged by Gulf Spray.

### Downey with Cantor

Morton Downey will do a couple of numbers on the Eddie Cantor Camel program next Monday (18).

Singer still at the Casa Manana, N. Y.

*Scenic* COLORADO



Typical scene in any of Colorado's 33 western counties where density of population is only [illegible] persons per square mile.

**KLZ sells Colorado's Business Side!**

The bulk — 78.21% — of Colorado's population resides in the eastern 30 counties . . . where the state's three largest cities and fertile agricultural lands are located. KLZ's primary listening area coincides with this territory . . . embracing more than 80% within its primary area. Sell Colorado's most active market with Colorado's most active station.

*In Denver It's*

KLZ

CBS NETWORK — 560 Kc. — 5,000 WATTS LS.

REPRESENTATIVE — THE KATZ AGENCY, INC.

# CRANEY THROWN FOR LOSS

## HIS IDEAS USED AGAINST HIM

### Fighting Indie Broadcaster, Foe of Monopoly, Denied Second Station in Butte on Grounds Grant Would im Local Monopoly

### RIVAL WINS

Washington, April 12.

Even strong political friends sometimes cannot outweigh advantages which a rival applicant gains by having better plans for serving the public interest, the Federal Communications Commission held in effect l t week.

Attention-attracting decision, which had been preceded by rumors of - tugging and table - pounding, emerged from the commish law department last week and gave E. B. Craney, uncompromising foe of clear-channel broadcasters, added competition in his own back-yard. Commish granted Roberts-McNabb Co. a per it to erect a local station at Bozeman, Mont., and simultaneously denied defensive application, which Craney submitted under the tag of Gallatin Radio Fourm.

After several weeks of controversy, the Roberts-McNabb application, which preceded Craney's plea by two months, was granted by a unanimous vote. Earlier a majority had favored more competish for Craney, who runs KGIR at Butte, but the final action had been held up. Reported that Chairman Frank R. McNinch at the outset tried to argue his colleagues into giving the break to Craney, who owns 150 of the 250 shares of the Gallatin Radio Forum.

**Stirred Up Wheeler**

Political angle results from Craney's close contact with Senator Burton K. Wheeler, who in turn is friendly to McNinch. For many months Craney has been credited with stirring up the Senator, who is chairman of the Senate Interstate Commerce Committee—body that handles radio legislation — against super-power, clear channels and newspapers. Whispers were that McNinch carried the banner for Craney with argument that favorable action on his request would improve the entire Commish's standing with the Senator.

Argument by which the Chairman was routed ironically was based on his own policies. Majority pointed out that if Craney received another transmitter the Commish would be encouraging multiple ownership and thus trending toward local monopoly.

### WEW Stunts Up Its 17th

St. Louis, April 12.

WEW, operated by St. Louis University, will formally 'open' its new $70,000 studios Tuesday (17) which, incidentally, is the 17th anniversary of the station's broadcast. First broadcast was an experiment by the U. S. government in airing weather reports twice daily. Station's publicity dept. has dug out daily paper stories of 1921 and is plugging with radio editors for a reprint, showing how radio has advanced in 17 years.

Station is offering $5 for the use of the oldest workable phonograph in town to be used in the dramatition.

### KABC's Kellogg Baseball

San Antonio, April 12.

KABC has closed a deal with Kellogg to air all local and road baseball games of the San Antoni issions.

For the eight season Sam 'Bolivar Dugag' Goldfarb will man the mike.

### Nancy Turner to Bermuda

Baltimore, April 12.

Nancy Turner, stylist for WFBR, has been sent to Bermuda via air to pick up style and news features for Transradio.

N. W. Ayer, representing Bermuda publicity set-up, arranging.

### Both Sides

Philadelphia, April 12.

Program planning de luxe by WIP last Wednesday night:

9:15—119th Infantry Band, U. S. Army. Talk on Army's functions.

9:30—Anti-war mass meeting from Metropolitan Opera House.

### Temu Soap, New to Air, B.R.'s Healy Stamp Club

Temu soap this week started sponsoring Capt. Tim Healy's 'Stamp Club' on WJZ, N. Y. Program has been airing over NBC for past four years. Commercial ri ill be on Mondays and Thursdays.

First air advertising for the product. iz was placed direct.

## PAYNE PASSES THE ASPIRIN

ington,

Harassed Federal ica-tions Commissioners are juggling another hot potato tossed by the Payne-Craven team last week.

Docket for weekly session today (Wednesday) includes a resolution advanced out of a clear sky by Commissioner George Henry Payne putting the FCC on record as welcoming a Congressional inquiry into both its own conduct and affairs of the broadcasting business. It puts the rest of the Commish in a very ticklish spot, since approval will provide Congressional critics with a new springboard and unfavorable action will be construed as prompted by fear and desire to cover somethings.

Members were taken by surprise last Wednesday (6) when Payne produced the resolution, which called attention to representations that the Commish was hostile to the idea of a legislative inquiry into regulation and operations of broadcasting industry. New Yorker whereased the Commission has been subject to criticism and wanted colleagues to state for the record they neither fear nor wish to block any probes.

The resolution was seconded by Craven, who previously announced he thought a study by the lawmakers would be a desirable proceeding, but the flabbergasted majority—described by one witness as looking as if Payne had hit each on the head with a mallet—put the ticklihs proposition over for a week.

## PROBATION FOR PROMOTER

St. Louis, April 12.

Joseph Mark Thompson, who formerly conducted a radio advertising agency here, last week pleaded guilty to a charge of obtaining $1,500 by fraud from Dr. Rolla L. Sanders, a dentist, and was sentenced to one year in the City Workhouse and then paroled for two years by Circuit Judge Michael J. Scott.

Although Thompson was originally charged with obtaining money by 'larceny and trick,' a felony, the Circuit Attorney's office recommended the acceptance of the plea to a petit larceny charge, a misdemeanor, because Thompson had made restitution of the entire sum.

LISTEN TO THE QUIXELLING BRAND HOUR WLW
QUIXELLING BRAND
QUIX BR
XELLING AND

*"Sure, I know they got a new show on W L W, but for Pete's sake leave enough room to let some customers in the front door."*

# Super-Power and Monopoly Probes Of F.C.C. Slowly Go Into Gear

Washington, April 12.

Pair of committees were set up last week to conduct the twin probes by which the Federal Communications Commission may reach novel regulatory policies.

With the full body confronting a mountain of laborious jobs, Chairman Frank R. McNinch suggested the membership divide into panels and unanimously put over resolution turning the super-power and the monopoly-chain probes over to subdivisions. Each group will conduct the studies and report back to the entire septet with digest of discoveries and recommendations for action.

Power committee embraces two acknowledged foes of 500 kw operation. Governor Norman S. Case, who has not declared himself, is chairman, with Commander T. A. M. Craven, George Henry Payne and McNinch, latter ex-officio member, rounding out the slate. Craven will direct the preliminary work and handle all technical phases, acting as vice-chairman.

The only two FCC members who served on the old Radio Commission were placed on the monopoly-chain jury. McNinch is chairman, with Col. Thad H. Brown second in command. Others are Judge Eugene O. Sykes and Paul A. Walker. By virtue of FRC background and service on the FCC's abolished Broadcast Division, Sykes and Brown will be in the position, to some extent, of probing themselves. If there is any monopoly, they are partially responsible for its existence.

Already carded to start hearings on 16 applications from 15 stations, the power committee promptly planned to send out more questionnaires for dope upon which the engineering staff can base its presentation of evidence. First blank probably will get in the mails this week, seeking rafts of info about the types of programs carried on all types of stations.

Purpose is to lay groundwork by which the Commish may deduce whether removal of the present 50 kw juice limit on clear-channel transmitters is in the public interest. Group wants to find out what sorts of programs are available now and how much time is allotted for each major category, in effort to decide whether listeners would be injured or benefited if several stations are allowed to multiply their wattage.

### WLW as Laboratory Test

Armed with this data, the engineers will consider the extent to which program duplication would occur, how much the choice of selections would be increased and what sort of operation might be discouraged. Using WLW, Cincinnati, as the guinea pig, FCC will try to dope out how much diversion of sponsorship from locals and regionals to power behemoths might occur. Would conjecture the extent to which income of smaller stations might be affected and have some way to test the claims of opposing economists.

Chain-monopoly quartet swung into action with instructions for attorneys to start an analysis of every network-affiliate contract in the files. Law department will make a digest of the relations to see how much New York controls the actual operation of transmitters around the country. Also to discover how great any concentration of ownership may be. Follow-up expected in the form of questionnaires later on to bring out additional facts about such things as stock distribution.

How soon the chain-monopoly probe will begin producing fodder for headlines is problematical, but McNinch wants to start public hearings before summer. Thinks this inquiry is of first-rank importance and should be pushed aggressively, although there are numerous other major chores requiring attention and time.

Philadelphia, April 12.

Sam Rosenbaum, prez of WFIL, was closeted with Frank E. McNinch, of the FCC, for more than five hours Saturday afternoon. Confab was arranged previous day by Mark Ethridge at McNinch's request. Rosenbaum presented the point of view of affiliated stations on the FCC's forthcoming investigation of monopolistic practices of the nets.

Rosenbaum refused to reveal what was discussed other than to say that as representative of the 293 affiliated outlets in the country he fully acquainted McNinch with how they feel about the chains and their practices. WFIL prez is well-qualified to speak, as his station is associated with NBC, Mutual, the WLW line and the Quaker State network.

His views on the coming investigation have been frequently expressed in Philly radio circles by Rosenbaum. It is understood that he told the Commissioner that the affiliates and the nets have many common interests and it is to the great advantage of the stations to see that the webs get a fair break in the probe.

ARTISTS MANAGEMENT
Presents
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ON
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CBS Network
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Guests April 8th
ART SHAW
JOAN EDWARDS
4 MODERNAIRES

All Paul Whiteman Engagements Booked
EXCLUSIVELY
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Artists Management

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IT AIN'T GONNA RAIN NO MO'
MELLOW MOON, ONE EYED LOVE
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By JANE WEST
NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap · 99 44/100% pure

LISTEN IN . . TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. EST
CBS - WABC— 2:15 to 2:30 P.M. EST
COAST TO COAST
Dir., COMPTON ADVERTISING AGENCY
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

# SHORTWAVE REPORT TO F.D.R IS DUE

Washington, April 12.

Recommendations for making most effective use out of short-wave broadcasting in conducting foreign affairs with other nations of the western hemisphere go to President Roosevelt soon.

Deliberations of an interdepartmental advisory committee are nearly complete, Chairman Frank R. McNinch said Monday (11). Another week or two should have the report at the White House.

Encouragement of U. S. operators to work more closely with the government, promulgation of stiff tests to see if short-wave licensees are operating in the international public interest, greater governmental exploitation of the possible boosts to trade and diplomatic relations, establishment of a government-owned transmitter to fire democratic propaganda below the Rio Grande, removal of some present restrictions on commercial use of the Pan-American frequencies and creation of a loosely coordinated international web are among the ideas being pondered.

Meanwhile, hearings on the Chavez-McAdoo bill for a national short-wave station at San Diego are in prospect. Senate interstate commerce subcommittee will ventilate arguments of foes and friends as soon as Senator Homer T. Bone, of Washington, chairman, clears his desk of other more pressing business.

Major 'good will' broadcast is on the menu for international fans, according to an announcement made last week by the U. S. Office of Education.

Most extensive short and long-wave broadcast ever to be attempted will take place May 4 over the NBC Red Network. Program commemorating the American Junior Red Cross will be aired from Washington, New York and San Francisco, via General Electric short-wave transmitters W2XAD and W2XAF and will be rebroadcast by many foreign radio stations.

Tagged 'Calling All Countries,' program will deliver tributes to the 16,000,000 American and foreign members of the junior organization. Actors, orchestra and chorus of the Educational Radio Project, Office of Education, will dramatize the origin of the Junior Red Cross, with Commissioner of Education John W. Studebaker, one of the founders of the organization, extending greetings and concluding the broadcast.

## KIRO's Domestic Dept.

Seattle, April 12.

KIRO this week opened a home-service auditorium for daily remote broadcast. Layout contains model kitchen, and is managed by Helen Malloy and Isabel Campbell, service experts.

Femme audiences sit in on broadcasts, which include recipes, marketing tips, book reviews, bridge lessons and garden talks. Manufacturers are in on the setup, having dolled up with their sample products 50 booths built under supervision of Federal Housing Administration.

## Can't Serve 2 Gasolines

Buffalo, April 12.

Claude H. Haring replaces Jim Britt as WEBR's baseball broadcaster this season for tlantic Refining.

Britt's regular sports commentator chores on WBEN are bankrolled by Socony and gas and gas don't mi

# St. Louis Stations Face Demand That Turntables Be Manned by A. F. of M.

is, April 12.

A strike of 28 union tooters in local radio stations skedded for Saturday (9) was held in abeyance until Tuesday (12) on orders from Joseph N. Weber, international president of the AFM, and received here by Al Schott, business representative of Local No. 2. Trouble that has been brewing for several weeks is due to the jurisdictional dispute between the IBEW and AFM on the operation of electrical transcription turntables in the stations.

Stations deny Schott's allegations, regarding the clause in the existing contracts and which Schott claims gives the AFM jurisdiction over operation, a point which the stations insist is vested entirely with the IBEW.

Contract entered into with the local tooters' union several weeks ago included increase of wages, better working conditions and the operation of the turntables, the latter point being subject to a jurisdictional ruling from the AFL.

William F. Green, president of the AFL, ruled last week, according to local stations, that the IBEW had jurisdiction over the operation of the turntables. Schott, who had previously claimed that Green's ruling gave the AFM that jurisdiction then, according to the stations, demanded that members of Local No. 2 be hired to carry transcriptions to and from the machines. This was when the stations balked, asserting there was nothing in the contract that called for this concession. Strike threat was then made and the stations again appealed to Weber, who has called a conference for today in New York.

General manager of one of the local stations says he has received Green's ruling by wire and confirmed it by a phone call and later by a letter.

Schott, anticipating a favorable ruling from Green, sent two members of Local No. 2 to Chicago six weeks ago, where he examined and worked a variety of makes of turntables with the view of instructing 15 musicians Schott had hoped to place in the local stations to operate the turntables.

Should the stations accede to Schott's demands it will increase the operating cost to the five local stations involved roximately $562 per week.

Washington, April 12.

Tiff over which union should have jurisdiction over job of operating transcription machines in radio stations in St. Louis was tossed in the lap of the feuding laborites this week by President William Green of the American Federation of Labor.

Rivalry between the American Federation of Musicians and the International Brotherhood of Electrical Workers referred back to the locals to see if they cannot reach an amicable understanding without troublin national headquarters or the executive board. Because the argument applies only to St. Louis, where the IBEW has closed shop contract covering studio technicians.

Mess was caused by misunderstanding, AFL office said, and ought to be easily adjusted. But meanwhile stations are in the middle, having been informed by Green that IBEW would continue to spin the wheels while Musicians claimed they had jurisdiction over the turntables. Headquarters was cool because of reports that some of the station execs were taking advantage of the question to wriggle partly out of their IBEW contracts.

# PARKAY PLUG COMPLICATIONS

Considerable confusion to dialers is resulting from double agency representation on Kraft Music Hall, one of the few instances of record. At station break time ing Crosby runs on Ken Carpenter for the commercial. What listeners can't understand is why a voice other than Carpenter's is heard on the Parkay plug.

J. Walter Thompson agency, which handles all Kraft product except Parkay, which is assigned to Needham, Louis & Brorby, declines to eliminate its own announcers' identity for that of NL&B spotted along the network in varying numbers each week. Thompsonites claim the Carpenter tag is for the studio audiences and those stations not given the Parkay biz that week. Each station cuts in its own Parkay announcer and the agency's bookkeeping department is said to have a heck of a time keeping the time sales straight each week.

### eturns to Alma Mater

Philadelphia, May 12.

Larry Taylor, who was discovered on WCAU several years ago by Roxy and taken to New York, back at the station again.

He'll alternate in a nightly 11 p.m. chirp spot with Jean Shaw.

**Gerald Holland,** formerly with the Jimmy Daugherty Agency, Inc., now in charge of publicity at KMOX, St. Louis. Vi Evers of KMOX publicity dept. back at stint after long illness.

[illegible] CASHMAN
[illegible]
COLUMBIA ARTISTS INC

THE Barnet BULLETIN
CHARLIE BARNET
And His rchestra
Picked to Play
ENNA-JETTICK PARK
AUBURN, N. Y.
IN JUNE
EXCLUSIVE MANAGEMENT
CONSOLIDATED

DON ROSS
THE RHYMING MINSTREL
12 O'CLOCK NOON
EVERY MONDAY
WEDNESDAY and FRIDAY
Mutual roadcasting System
FOR
BOSCO

FRANK CARTER & ARTHUR BOWIE
Entertainers De Luxe
•
SWING PIANO DUO
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CASA MANANA
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AVAILABLE FOR
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HEADING FOR THE NETWORKS
LANNY GREY'S RHYTHM SCHOOL OF THE AIR
Pupils of the Class
Mary McHugh—Platinum-voiced Pretty.
Don Richards—Toreador of Song.
Lucille and Lanny—Combination of Swingeroo.
Jimmy Rich—Bad Boy & Nursery Rhyme King.
And Lanny Grey as the Rhythmaster.

# DX LADS DO AS THEY PLEASE

## Staff Claims Versatility Tops

Okmulgee, Okla., April 12.

KHBG here boasts it has the most 'versatile staff of any radio station in the U. S.'

Line-up includes ichard Tripp, chief announcer, who is also a pianist and baritone singer of note; Duana W. Hoisington, program director, who is also a pianist, organist, singer, announcer and licensed technician; Vella Jean Buchanan, staff pianist, and electric organ; Chief Engineer Schultz, who also copies news via short wave and does newscasting stint; Lloyd Goodin, salesman, plays the trumphet, trombone, clarinet, sings and announces; Mrs. T. R. Putnam (wife of manager), is a popular singer, plays the piano and ukelele; T. R. Putnam, manager, is a licensed minister, handles devotional programs, delivers sermons, pinch hits for preachers who fail to show, delivers Masonic eulogies and sells advertising, as well as manages the station.

## Coast Musicians Lift Ban on Easter B'dcast

Los Angeles, April 12.

ithdrawal of musicians union demand of $11 per man for broadcasting Easter sunrise services from Hollywood Bowl will allow for a nationwide airing over Mutual web. Tariff was slapped on due to music assignment going to rks Progress Administration outfit.

Vocalist with the 100-piece backup ill be Marion Talley. Herbert arshall is narrator.

## 'The WIP-Eroo'

Philadelphia, April 12.

Clarence Fuhrman, batoneer of WIP house band, dissatisfied with various themes used on different programs in which orchestra plays. So he named Bill Davies, staff pianist, to write a new one to be used on all shows.

Davi 1P-EROO.'

## PRIMARILY LOCAL

### Treasure Hunt, Too Difficult Nationally, Has New Spot Acct.

Baltimore, April 12.

'Treasure Hunt,' originated here at WBAL and nationally bought and dropped by American Tobacco Company for Cremo Cigars, has been sold locally to 'Dr. Pepper,' soft drink account. Series scheduled to begin April 16.

Program, which is aired in two periods, the first outlining list of gadgets to be brought to station and the second, interviewing successful retrievers, built big listener and flesh audience on Cremo set-up, but was dropped because of difficulty of national handling. Gary Morfit, of WBAL staff, will handle new show.

### Buster Crabbe for Vitalis

Larry 'Buster' Crabbe will guest on the 'For Men Only' program on ay 2. Vitalis sponsors.

First network appearance for the actor.

## PLENTY LIBERTY ON SHORTWAVE

### Frolicsome Air Amateur Operators Violate Most of the Taboos of Regular Broadcasting and with Slight Danger of Reprimand

ike commercial radio broadcasting, ham operators (amateurs) have their own style of entertainment program and personal commercial plugging but none of the worries of their grown-up brother and little fear of the Federal Communications Commission. With a dialog and material freedom that is frequently of hair-curling color, hams amuse each other with 'jokes,' stories, make dates, broadcasting parties, drinking bouts and kindred radio verbotens.

As in commercial radio, hams' world has its puritans and letter writers. Plenty of beefs are registered with the inspectors regarding obscenities, etc., by the purists much the same as commercial radio is plagued by leagues, societies, etc. Difference is that commercial radio is hogtied while shortwavers improvise to their heart's content with little fear of reprimand.

Reason for the virtual immunity are the technical-physical obstacles confronting the FCC when complaints are investigated. Inspectors have a tough time pinning blame on anyone even when they think they have traced the sender. Ams playfully use each other's all letters, frequency, more than apportioned power, anything else that can be appropriated. Violations cannot be tagged without actual proof from itnesses present at the point of broadcast. Even if FCC had a man tuned to each sender they still couldn't be sure, is the admission, so things go along apace.

American Radio Relay League, organization with large membership among country's 42,000 hams tries to discourage such practices.

## Radio Daffodils

**Memphis**—'There must be some mistake,' said a listener to Columbia's WREC. 'Announcer just said the moon was shining over Hollywood hotel; I'm an astronomer and it can't be.'

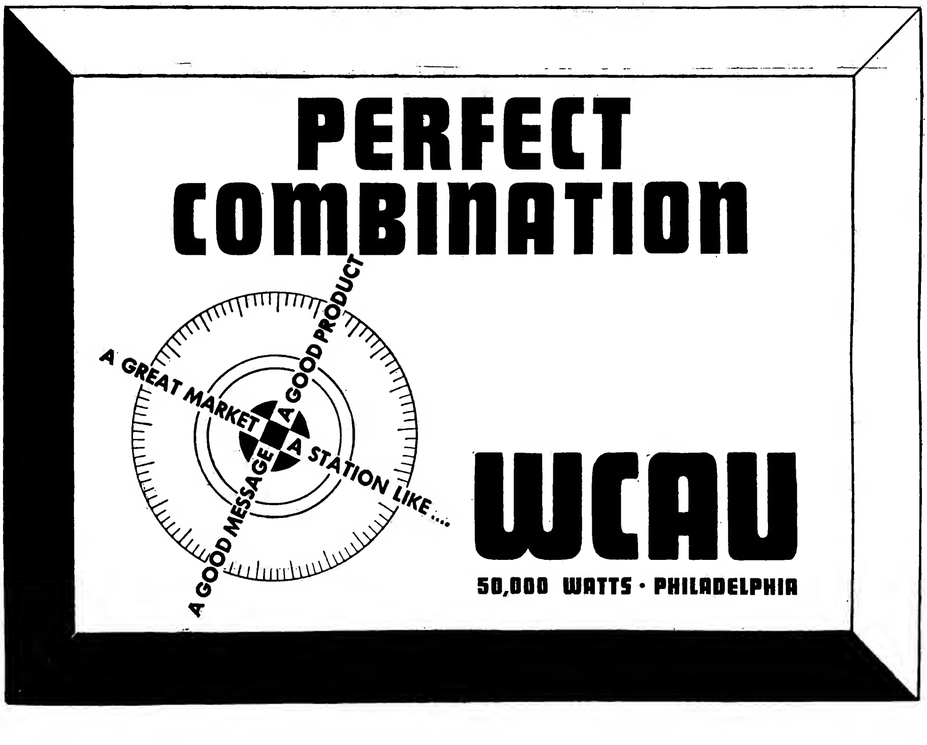
**New York City**—'Just Music' program on WQXR, New York, is apparently just dandy for romancing in the parlor. That seems to be the nub of reactions received to a post card query if listeners wanted the hour with or without explanatory announcements. They want it straight music, no talk, all romance.

**Syracuse**—WFBL special-evented opening of trout season by shortwaving program from shores of Chittenango creek on which Bud Squires and Norm Bassett handled mike. Fish weren't biting, which made the boys do a combo prayer-and-perspire act during most of the program. Just before the end, day was saved when two fish were hooked.

**Philadelphia**—Letter this week to Italian gabber at WDAS: 'Please announce over your program at 8:15 that Tony H——— is a disgrace to the Italian people, and since he has a wife of his own, why does he have to fool with other men's wives? Please also play a request for my wife called 'Angela .'

**Knoxville**—WNOX aired an egg-eating contest between local chai Robert Sauls and challenger Perry Corwin, of Claiborne County. Contest held in studio with swing band and hillbilly troupe spurri the contestants.

**Cedar Rapids, Ia.**—Art Shepard, WMT's 'Question Man,' included an April Fool gag that had the listeners believing that they had overheard an actual street shooting. During the broadcast a local actor posing as a crank got into an argument with Shepard. The verbal ti was climaxed by the firing of two shots and a moment later tuner-inners heard a gendarme telling the 'crank' that he was under arrest for giving the works to Shepard. The street incident might have developed into a local debate as to whether the shooting in this case was really a crime if the listeners weren't tipped off the next day that everybody had been fooling.


PERFECT COMBINATION

A GREAT MARKET
A GOOD PRODUCT
A GOOD MESSAGE
A STATION LIKE....

WCAU

50,000 WATTS · PHILADELPHIA

# Political Coin Hypos Phila. Station Takes

Philadelphia, April 12.

Political airings in the many-sided primary campaign now in progress in Pennsy are giving the recession a hefty swat in the schnoz so far as radio is concerned. Almost $250,000 will have been dropped in the laps of outlets in the State during the eight weeks ending with the election in May.

By the completion of this two-month period the Quaker State network alone will have aired 80 programs for the six principal candidates for governor and senator at a cost of $150,000. WFIL is key station for the web and all broadcasts are arranged by co-ordinator Roger Clipp, WFIL biz manager. Basic 17 stations in the set-up are frequently expanded to 22 to handle some of the programs.

## FACSIMILE THEME TABOO

**Twin Cities Papers Won't Allow Subject to Be Mentioned**

Minneapolis, April 12.

ith local rags, even the station's own affiliate, the Minneapolis Journal, turning a cold shoulder on the publicizing of facsimile, KSTP is militantly carrying the story of radio's new development direct to the rabble.

Station cooked up the plan of putting on a complete facsimile demonstration, transmitter and all, before various local luncheon clubs, and to date has carried the story to several thousand. Bookings are now coming in faster than they can be handled. KSTP plans to climax this campaign with open house demonstrations for the general public.

Club demonstrations, handled on a not-more-than-two-a-week basis, include exhibits of facsimile transmissions, actual transmissions, talks by Val Bjornson, editorial commentator; Hector Skifter, technical supervisor; and Lester Carr, chief engineer. Station has worked out a complete show for the clubs. It verges somewhat on television and includes a television exhibit.

Topic is taboo with the rags because they're afraid it looms up as too-direct competish.

# INDIANAPOLIS' THIRD STARTS ON MAY 17

Indianapolis, April 12.

Third station in Indianapolis, WGVA, owned by corporation headed by permit-holder Glenn Van Auken, local utility attorney, looks to get on the air by May 17. Roger Beane has been chosen to manage the station by Van Auken.

WIRE and WGVA are partners in a joint 20 year lease of new studio building to be constructed north of the downtown business district here, but just where temporary studios of WGVA will be located is not reported. Temporary studios will be used by WGVA (with 1,000 watts power, daytime only, 1,050 kilocyles) until approximately Oct. 1, 1938.

### Texas Staff Additions

San Antonio, April 12.

Tom Browne, formerly with KRIS, Corpus Christi, joined KTSA, San Antonio, announcing staff. Buster Bryan is another addition to the gabbing lineup of KTSA, coming from KFI, Los Angeles.

Ves Box, KTSA spieler, has switched over to KXYZ, Houston, to cover ball games of the Houston Buffs.

George Roes has joined the mike-ing staff of KABC, San Antonio, to handle sports events exclusively.

### Pettey in Washington

Herb Pettey, boss pro tem in absence of L. K. Sidney at WHN, Loew-owned broadcaster in N. Y., in Washington, D. C.

Stays in the capital till after Easter.

**Hervey C. Carter**, new manager of WEBR, Buffalo, is now offering five bucks apiece for new program ideas submitted by staff members and used on the air.

# F. C. C.'s WASHINGTON DOCKET

## MAJOR DECISIONS

Washington, April 12.

**Arizona:** New station for Gila was authorized on the showing of leading businessmen and public welfare workers, wh demonstrated their qualifications to own and operate a transmitter in the isolated town. Gila Broadcasting Co. comprising six individuals active in the Gila Junior College and various civic, religious and welfare organizations, showed assets of $14,800 out of which $11,815 will be needed to construct the station, exclusive of the cost of the site and buildings. Studios, land and furnishings will be donated by L. F. Long, president of the new company and civic leader.

Operation of the transmitter on 1420 kc with 100 watts nights and 250 watts days would cause no interference to existing stations and no satisfactory service is now available in the area, Commish ruled.

Horace L. Lohnes and E. of the applicant.

**Montana:** Roberts-MacNab Company of Bozeman given the inside track over its competitor, Gallatin Radio Forum. (See news story this week—('Craney Thrown for Loss.')

Victorious applicants engaged James H. Henley and Thomas J. O'Brien. Forum (Ed Craney) was represented by Philip H. Loucks and Arthur W. Scharfeld.

**Louisiana:** William C. Smith, telegraph operator and former owner of a short wave station, lost out on his application for a smallie on 1310 kc because of failure to plot a well-defined program service and because operation of a station on the proposed assignment would collide with another transmitter. After changing his application from unlimited to days only, to avoid interference with WAML, Laurel, Miss., and KVOL, Lafayette, La., Smith bumped into the normally protected .5 millivolt per meter contour of WSMB, New Orleans, which would suffer daytime interference if his plea went through. Applicant also failed to mention what, 'if any,' service it would offer in the interests of the public.

Legal talent was Benjamin W. Miller, at the first hearing, and Frank Stollenwerck 'specially on behalf of the applicant in place of Mr. Miller at the second hearing.' Stollenwerck also represented KVOL.

**Pennsylvania:** New daytime transmitter for New Castle received the nod despite interference to a 'small area' within the .5 millivolt per meter contours of both WJAS and WCAE, Pittsburgh. Operation of the proposed station on 1250 kc with 250 watts would cause 'slight' interference to the Pittsburgh stations, which are located 42 miles from New Castle, instead of the recommended 118 miles, Commish admitted. Also proposed transmitter would receive interference within its normally protected .5 millivolt per meter contour.

Application, filed by Keystone Broadcasting Co., was okayed. Ben S. Fisher and John W. Kendall appeared for the outfit.

**South Carolina:** Nix on a juice-jump and frequency change for WSPA, Spartanburg. Neglect of its present equipment, to an extent where 25,000 letters of complaint have been received against the service, proves that WSPA must learn to utilize what it already has before it can ask for more, Commish indicated. Application of Virgil V. Evans, doing business as The Voice of South Carolina, for a jump from 1 to 5 kw and a change from 920 to 880 kc, also threatened interference for WRNL, Richmond, Va., Commissioners found.

After commenting on 'very poor' condition of the transmitter—which had to be practically rebuilt a short time before the hearing because of engineering faults—Commish said sternly: 'The applicant has not made efficient use of its existing assignment. In the present state of the art, with the number of frequencies available severely limited, public interest, convenience and necessity requires that a licensee make efficient use of existing facilities before requesting an additional assignment.'

WSPA, a daytime station, was represented by Clarence C. Dill and James W. Gum.

**Texas:** Denial as in cases of default was dished out to O. C. Burke of Dickinson, on his request for a 1500 kc assignment with 100 watts. Nobody appeared for the hearing.

**Wisconsin:** New daytime smallie for Rice Lake, using 1210 kc, received the go-ahead signal after establishing a need for the service proposed. Request of Walter H. McGenty, publisher of The Stock and Dairy Farmer was viewed favorably by the Commish and it was noted that daytime reception in the vicinity was inadequate. Farm Journal publisher showed a bank-roll of more than $100,000; which was considered more than adequate for construction and operation of a $10,000 transmitter.

McGenty retained Paul M. Segal, S. E. Soderberg.

## MINOR DECISIONS

**District of Columbia:** Scripps Howard Radio Inc., Washington, granted authority to withdraw without prejudice application for new station to be operated on 1310 kc with 100 watts nights, 250 watts days.

**Michigan:** King-Trendle Broadcasting Corp., Detroit, granted extension of authority to transmit programs to Canadian stations of the Canadian Broadcasting Corp., through wire line facilities of the Michigan Bell Telephone Co.

## NEW APPLICATIONS

**California:** KEHE, Hearst Radio, Inc., Los Angeles, voluntary assignment of license to Earle C. Anthony, Inc.

**Illinois:** Mutual Broadcasting System, Inc., Chicago, authority to exchange programs with CKLW, Windsor, Ontario, and through the Telegraph Office of the Canadian Pacific Railway at Windsor with the Canadian Broadcasting Corp., and with stations owned and operated by the Canadian Broadcasting Corp. and stations licensed by the Canadian Minister of Transport.

**Iowa:** May Seed & Nursery Co., Shenandoah, new relay station to be operated on 1646, 2090, 2190 and 2830 kc with 25 watts.

**Missouri:** W9XA, Kansas City, change frequencies from 31600, 35600, 38600, and 41000 kc to 26450 kc, power from 250 watts to 1 kw.

**Pennsylvania:** WAZL, Hazelton, change hours of operation from sharing with WILM, Wilmington, Del., to unlimited.

**Tennessee:** WDOD, Chattanooga, permit to use equipment of high frequency station W4XBW for facsimile operation using 31600, 35600, 38600 and 41000 kc with 100 watts.

**Texas:** Sweetwater Radio, Inc., Sweetwater, new station to be operated days only on 1310 kc with 100 watts.

**Virginia:** Fredericksburg Broadcasting Corp., Fredericksburg, new station to be operated days only on 1260 kc with 250 watts.

## SET FOR HEARING

**Iowa:** WOC, Davenport, change frequency from 1370 to 1390 kc, jump night power from 100 to 250 watts, day power from 250 watts to 1 kw, install new equipment and directional antenna system for night use.

**Kansas:** Emporia Broadcasting Co., Inc., new station to be operated on 1370 kc with 100 watts, days only.

**Michigan:** Pontiac Broadcasting Co., Pontiac, new station to be operated on 1100 kc with 1 kw, days only.

**Minnesota:** KATE, Albert Lea, change power from daytimes only with 250 watts to 100 watts nights, 250 watts days; WDGY, Dr. George W. Young, Minneapolis, jump night juice from 1 to 5 kw and change hours of operation from limited to unlimited (to be heard before Commish).

**Missouri:** KSD, St. Louis, extension of special authority to operate regular transmitter for experimental transmission of facsimile on 550 kc with 1 kw from 1 to 8 a.m., for duration of regular license period which expires Sept. 1; KGBX, Springfield Broadcasting Co., Springfield, make changes in composite equipment and directional antenna for night operation and boost power to 1 kw.

**New York:** WIBX, Utica, jump night power from 100 to 50 watts (to be heard before Commish); Sentinel Broadcasting Corp., Syracuse, new station to be operated on 620 kc with 1 kw, using directional antenna nights.

**Texas:** Eugene DeBogory, Dallas, new station to operated on 1500 kc with 100 watts, days only.

**Washington:** KELA, Centralia-Chehalis, jump power from 500 watts to 1 kw; KWSC, State College of Washington, Pullman, boost night power from 1 to 5 kw; KRKO, Lee E. Mudgett, Everett; increase power and time of operation from 50 watts sharing half time with KEEN, Seattle, to 100 watts nights, 250 watts days, unlimited.

**Wisconsin:** WEMP, Milwaukee, install new equipment and boost day power from 100 to 250 watts.

## EXAMINERS' REPORTS

**Indiana:** New station request of C. Bruce McConnell, Indianapolis, should be thrown down in favor of a renewal of license for WKBV, Richmond, according to Examiner George H. Hill. Granting of McConnell's plea for a transmitter to be operated on 1500 kc with 100 watts nights, 250 watts days, would mean deletion of WKBV, Hill pointed out. Latter uses same frequency with 100 watts, specified hours. McConnell put in a bid for the time now used by the Indianapolis station. New station applicant flashed a large bankroll and showed that he receives an income of more than $13,000 from several lucrative positions. Has sold considerable radio advertising.

Knox Radio Corp. (WKBV) is headed by William O. Knox, owner of the Knox Advertising Agency through which his station secures its advertising. Testimony concerning programs of WKBV was 'somewhat conflicting,' examiner admitted. Former employes of the station revealed that he had received instructions from Knox that the daily station log was 'definitely not to show it' if the station should leave the air for 'any purpose whatever.' Also said that a program test in which he broadcast an invitation for listeners to phone the station within two minutes after the announcement and receive a dollar did not draw a single reply.

Log-fixing statement was denied by Knox and cross examination showed that the ex-employee had testified favorably in behalf of the station at a previous hearing—presumably before he left the employ of WKBV. Incidents were not referred to in five-line 'findings of fact,' in which ill recommended granting of WKBV's request.

McConnell turn-down was based on fact that no need exists for a new Indianapolis transmitter and that deletion of WKBV would deprive Richmond of a needed service.

Henry B. Walker appeared for McConnell and J. C. Trimble represented Knox Radio Corp.

**Iowa:** Nixing was indicated for a new daytime smallie for Fort Dodge when applicant was unable to show sufficient finances and Examiner Tyler Berry found that daytime operation would result in an uneconomical use of the 1500 kc frequency requested. Applicant, N. B. Egeland, operates a radio service station. A bedridden invalid for 16 years, his net assets were listed as $2,405—only $525 of which was hard cash. Proposed to borrow money for construction of the $12,500 transmitter.

While need exists for service in the proposed area, station would not cover a large enough area, Berry pointed out. Egeland, while legally qualified to own, and operate the station, was unable to show that he was financially and technically capable of becoming a broadcaster, according to the report.

Applicant was represented by Chester O. Hougen.

**North Carolina:** (1) Hopes of WDNC, Durham, for a boost from 100 watts to 1 kw and a change of frequency from 1500 to 600 kc were dashed by an unfavorable report by Examiner Robert L. Irwin. Owned by the Durham Radio Corp., in which the Durham Herald is majority stockholder, station revealed elaborate plans for a general broadening of its service. Operation on the requested frequency, however, would clash with service of CMW, Havana, Cuba, Irwin found. Also would preclude granting of an application filed by WSOC, Charlotte, for the 600 kc ribbon, recently recommended for denial. Directional antenna which WDNC proposes to use was questioned by an engineer for WCAO, Baltimore, who doubted its efficiency.

Durham station was represented by George O. Sutton, Ashley L. Hawkes and James J. Proffitt.

(2). Ambitions of Piedmont Broadcasting Corp., Piedmont, for a 1500 kc station with 100 watts nights, 250 watts days, were okayed by Examiner Berry, with the proviso that a previous application, already recommended for granting, should be given the first chance. Commish approval of the request of Burl Vance Hedrick for operation of a transmitter at Salisbury on 1340 kc with 1 kw days, would knock out the Piedmond plea, Berry pointed out. Otherwise found everything in order for an okay.

Attorneys for the applicant were Horace L. Lohnes, Fred W. Albertson and E. D. Johnston.

**Pennsylvania:** Daytime juice-jump for WBRE, Wilkes-Barre, recommended for Commish approval by Examiner John P. Bramhall. Station, operated and owned by Louis G. Baltimore, could improve its service without causing interference to existing transmitters, Bramhall found. Low conductivity in the area and the fact that the plea was for a daytime increase only would protect other Pennsylvania stations, he declared.

WBRE was represented by John W. Guider, Karl A. Smith and Lester Cohen.

**Wisconsin:** Welter of interference to other transmitters probably will keep WLBL, Stevens Point, on its present assignment and prevent granting of its plea for operation until 10 p.m. Extension of hours for the transmitter, which is licensed to the State of Wisconsin's Department of Agriculture and Markets, would bother WBEN, Buffalo, and WKY, Oklahoma City, Examiner Irwin pointed out. Interference would be mutual. Granting of five pending applications also would complicate interference problems, if the WLBL plea should go through.

Engineering arguments of the transmitter were set aside by the examiner who commented: 'It is sufficient at this point to note that the Havana Agreement has not been ratified by the United States Senate, and further that stations operating on regional assignments are entitled pursuant to good engineering practice, to protection to their 1 millivolt per meter contour.',

Operation of WLBL on 900 kc with 1 kw after sundown and 5 kw days would result in mutual objectionable interference to the 3.5 millivolt per meter contour of WBEN and WLBL, Irwin noted. Station at present operates days only with 5 kw, using the same frequency.

Orland S. Loomis and Leo E. Vaudreuil appeared for WLBL.

# EQUIPMENT RULING ON STATE SALES TAX

Columbus, April 12.

Ohio Association of Broadcasters has secured a ruling from the Tax Commission of Ohio that purchases of equipment and supplies by Ohio broadcasting stations from vendors located outside the state are free of the use tax.

Supplies purchased within the state of Ohio, or purchased beyond actual emergency requirements and stored are subject to the tax, the commission ruled.

## WREC, WMC GET PLAQUES

**Work During 1937 Floods Recognized by Civic Body**

Memphis, April 12.

WREC and WMC will be given plaques by the U. S. Junior Chamber of Commerce, as well as the Memphis chapter, at a ceremony on April 21 for the stations' work during the 1937 flood. Hoy Wooten will accept for WREC, of which he is prez; general manager H. V. Salvick will be present for WMC.

Both broadcasters made prolonged stays on ozone during flood, routing rescue work and aiding relief drives.

# Court Broadcasts Nixed

Wilmington, April 12.

Proposal by Delaware Safety Council to air traffic court proceedings over a Wilmington station was nixed this week by Municipal Judge John F. Lynn. He said the broadcasts might 'degrade the court and create misconceptions in the minds of the public.'

Airings were urged as a means of educating motorists on what happens to others and what might happen to them as a result of careless driving.

**Kellogg** sponsoring local baseball games on KGBX, Springfield, Mo.

# Think Ahead On ASCAP Pact, Ike Levy Urges

Philadelphia, April 12.

Call for the new leadership of NAB to begin at once consideration of the ASCAP contract was sounded by Ike Levy, WCAU v.p. and large Columbia shareholder, yesterday. Five-year termer doesn't expire until Dec. 31, 1940.

'Despite the fact that our copyright agreement still has more than two and one-half years to run, it's not too early to begin thinking and making plans for a new one. The NAB should start at once to gather necessary data and lay plans either for an extension of the present contract or a new one,' Levy told VARIETY.

Trouble in the past, WCAU exec declared, was that NAB waited until the last minute before going into the complicated copyright agreement. On the other hand, he said, ASCAP is working all the time gathering facts and figures to bulwark its side of the case. When ASCAP and NAB finally do meet it's at the 11th hour and an agreement must be jammed through.

One of the principal reasons for such early consideration of the contract, too, he said, is fact that NAB execs are in such scattered parts of the country. It takes such a long time for correspondence to get back and forth that months are used up in exchange of an ordinary series of letters on the problem.

Levy thinks present bi r with ASCAP is fair. He favors its extension, but fears ASCAP is going to demand a change.

'The present contract was fair when we signed it,' he said, 'and it still is now, although certain inequalities have arisen. Such equalities are bound to arise in any contract for as long a period as five years because we can't foresee business conditions that far ahead. However, I believe the contract must be for at least that length of time so that we know what to look for and costs may be figured.'

## RULES FOR POLITICIANS

**KSTP's Flip-of-Coin Last Gestures in St. Paul**

Minneapolis, April 12.

Politicians get the last day—and it's free—in a new political lto inaugurated by KSTP.

Night before this burg's final city election (26), candidates for mayor John J. McDonough and William Fallon will participate in a round-table on the issues with Val Bjornson, station's editorial commentator. Each will be limited definitely as to time, there'll be no arguments or chance for rebuttal, and they'll have to toss a coin to see who leads off.

# BLIZZARD MUTES OKLAHOMA RADIO

Oklahoma City, April 12.

Oklahoma's worst spring blizzard in several years drove down on the state last Friday (8), disrupting power lines and resulting in time losses for four state stations.

In Oklahoma City KOMA was off the air until late in the evening with all power lines and cables from the studio to the transmitter torn from the poles. CBS wires remained open. KFXR was able to take the air late in the morning but at noon wires again went out for several hours. Neither WKY nor KTOK suffered loss of time but all cables except one which connected the WKY studios and transmitter were down. Should this wire have gone out, however, WKY could have remained on the air through a short wave connection maintained between the transmitter and studio.

KCRC at Enid and KVSO, Ardmore, were dead all day with Oklahoma Network lines leading to the former out. All other Oklahoma web stations remained on the air during the entire storm.

**Kasper Malone**, top announcer at KMMJ, Clay Center, joined WIBW, Topeka. Tommy Watson, another ex-KMMJ broadcaster, who went to WIBW, is now at WLS, Chicago.

# Quarrel Brews on Arrangements

## ASCAP Payment Basis on Special Versions of Public Domain Numbers Due to Come Up

Carl Fischer, Inc., and G. Schirmer, Inc., are slated to be the target of attack of a number of publisher members of the American Society of Composers, Authors and Publishers when the pub factions holds its general meeting within the next two or three weeks. This gathering was to have been held March 24 but was postponed at the last minute; the serious illness of Gene Buck's son would not permit the ASCAP prez to be present.

It is understood that the oppositional group of publishers will demand that the prevailing system which allows a half point for the performance of copyrighted arrangements of works from the public domain be changed. These pubs will contend that the system is inequitable in that it puts a lopsided premium on such arrangements and to the detriment of fellow publishers who are constantly contributing original works to the ASCAP catalog, and who are applying a major portion of their Society income to the development of new compositions.

This same element proposes to point out that while arrangements of non-cops can be made for $25 to $35 it takes anywhere from $400 to $2,000 to get an original song started. Also the underlying economic advantage for the public domain exploiters which stems from their nonneed and non-employment of professional staffs.

Demand that the performance recompense for arrangements of public domain music be reduced to a fourth of a point is expected to be with the argument that such rms as Schirmer and Fischer are merely collecting what had been promised them when they renewed their ASCAP memberships in the fall of 1934. Boost from a quarter of a point to a half point was made part of these firms' agreement to continue with the Society. The Boston Music Co., which is controlled by Schirmer, was included in this understanding.

How the payoff of these three firms compares with the dividends received by the major popular publishing concerns is indicated by the following list of sums paid out by ASCAP for the final quarter of 1937:

| | |
|---|---|
| **Harms, Inc** | 7,956.65 |
| **Robbins** | 39,086.19 |
| **Leo Feist** | 36,671.06 |
| **Irving Berlin, Inc** | 34,959.00 |
| **Shapiro-Bernstein** | 33,132.88 |
| **Carl Fischer** | 30,818.14 |
| **G. Schirmer** | 30,818.14 |
| **E. B. Marks** | 25,893.97 |
| **Boston Music** | 6,578.27 |

# MILLS WILL REQUEST SPA SUIT DISMISSAL

Mills usic, Inc., yesterday (Tuesday) made its first strategic move to have the two test cases brought against it by the Songwriters' Protective Association thrown out of court. Samuel Jesse Buzzell, counsel for Mills, served notice upon the SPA that he would seek this action from Justice Ferdinand Pecora in the N. Y. Supreme Court April 18 on the ground that both causes are insufficient as matters of law.

Mills was singled out for litigation by the SPA after the latter's eastern counsel and music publishers reached an impasse on the issue of framing a new uniform contract. Through the two suits the SPA sought to have the court adjudicate the question as to whether the writer controlled the mechanical and small rights his copyrighted works.

# Leedy Out, Nelson In

Hollywood, April 12.

Harmon Nelson, Jr., has been elevated to the management of the Coast division of the Rockwell-O'Keefe agency.

He succeeds Harry Leedy, vice-resident, resigned.

**Lysle Tomerlin** wrote the lyrics and Bill Fleck and O. M. Watson the score for 'Let's Not Lose a Moment,' which Vanguard will publish.

### Music Men's Show May 1

To avoid conflict with the Catholic Actors' Guild dinner for George M. Cohan, April 24, the Professional Music Men, Inc., moved its benefit at the Alvin theatre, New York, following Sunday evening.

It's the fourth annual show.

# 802 VETOES PAY LIMIT BY-LAWS

Attempt to impose a 50% charge for instrument doubling so that the leaders of dance combination would be compelled to employ legitimate or concert woodwind player was defeated at the regular April meeting of the membership of Local 802 in Carnegie hall Monday (11). Same gathering junked the resolution which sought to put a stop limit on a member's earnings and agreed that men having steady engagements on a five or six-day basis should be prohibited from taking other work on their days off. It was also voted that the hotels be banned from working the men in their main di - ing room orchestras more than six days a week.

Paul Whiteman and Don Voorhees, who opposed the proposal for an extra 50% fee for every instrument used in doubling, declared that while they were sympathetic with the resolution's objective they were certain it could not be achieved by legislation or without hurting the effectiveness of a modern dance orchestra. By limiting the saxophonist to that instrument, they argued, the rule would also tend to limit the tone colors of the orchestra.

Action on the limited income proposition put to an end the controversy which was aroused last Dec. 29 when a similar general meeting voted to bar men working on steady engagements and earning $54 or more a week from taking other work. Injunctive proceedings against the latter measure is still pending in the N. Y. supreme court. The litigation had been brought by a group of Local 802 members which included Voorhees.

## ASCAP Members' Share

Though the collections were larger this year, the royalty distribution of the American Society of Composers, Authors and Publishers for the initial quarter of 1938 is about 4% less than it was for the like period of '37. The divvy among the American members of the performing rights combines for the first three months of 1937 came to 75,000, while this time it figured $935,000. Compared to the $1,100,000 cut up for the final quarter of '37, the latest plum represents a drop of 15%.

With ASCAP now in a position by court decree to resume collecting i Nebraska and Florida and since the first three months of the year give commercial radio its peak income, it is expected that the payoff for the second quarter will be appreciably higher than the distribution of the past week. Split for 1937's second quarter was $1,117,000.

Class AA writers this time got between $4,800 and $4,900, as compared to the $4,100-$4,200 clip which prevailed for the final quarter of '37.

**Herb Lutz to Los Angeles**

Chicago, April 12.

After a couple of false starts Herb Lutz finally got off to the Coast last week.

Transferring there to head Los Angeles repping for the George Marlo music office.

# ASCAP Attacks State Legislation In Tennessee; Wins Point in Florida

American Society of Composers, Authors and Publishers yesterday (Tuesday) directed its campaign of legal counterattack on still another front when it filed a petition for an injunction restraining Tennessee from enforcing a local anti-ASCAP statute. Papers drawn up by the Society's general counsel, Frohlich & Schwartz, and filed by associates in Nashville, seeks to have a special Federal court of three judges do what a similar tribunal did in the case of a like Florida law last week. Latter jurists ordered Florida officials to stop interfering with ASCAP's conduct of business in that state.

nder the Florida order ASCAP was obligated to post a bond of $5,000 pending the handing down of a final ruling on the isue. This bond was mailed Monday (11) to the clerk of the U. S. court in Gainesville, Fla. Officials charged with enforcing the Florida laws were given 30 days in which to answer ASCAP's plea that the statute be declared unconstitutional and a permanent injunction granted.

Florida act, which is similar to the one that ASCAP is attacking in Tennessee, declares any copyright combine to be an unlawful monopoly and drastically limits the rights of copyright owners or licensees to control the sale, reproduction or use of their product in that state. In issuing the injunction the statutory court upheld ASCAP's argument that enforcement of the act would inflict great damage upon its members and asserted that there was 'grave doubt of the constitutionality of the act.'

As the litigatory score now stands, ASCAP has won preliminary skirmishes Florida and Nebraska, while decisions are ill pending i the attacks made upon the Montana and Washington state laws affecting the Society.

### Dilworth FTP Director

Los Angeles, April 12.

George Dilworth, New York, is the new music director for the Federal Theatre Project here. He replaces Ernest A. Montano, who is returning to private work.

Montano has been in ill health for some ti

# ANNA CASE'S TELEGRAPHIC DITTIES

Mrs. Clarence ackay, nee Anna Case, has written the music for a couple numbers which she hopes will find favor among the users of her husband's song greeting service. Besides being the wife of the head of Postal Telegraph, she's Irving Berlin's mother-in-law. Mrs. Mackay thinks that one of the compositional twosome, 'Just an Old Fashioned Picture,' would fit in nicely with Mother's Day, while the other, 'Hip-A-Hoo,' could be relayed by Postal's crew of crooners as an Easter greeting.

Mrs. Mackay, who was once with the Chicago Opera Co., has arranged to get together with Postal's greeting vocalizers at a luncheon and show them how the tunes should be done. Gerald Fitzgerald wrote the lyrics and Mills Music, Inc., is doing the publishing.

**Jimmy Dorsey's** new song, 'I Love You in Technicolor,' being recorded for Decca next week. Nat Burton collabed.

# Breakdown of Network Plugs, 8 A. M. to 1 A. M.

*Following is an analysis of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (April 4-10). Grand total represents accumulated performances on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. 'Commercials' refers to all types plugs on sponsored programs. In 'Source' column, * denotes film song, † legit tunes, and 'pop' speaks for itself.*

| Title | Publisher | Source | Grand Total | Commercials | Vocals |
|---|---|---|---|---|---|
| Ti-Pi-Tin | Feist | Pop | 49 | 9 | 38 |
| Please Be Kind | Harms | Pop | 46 | 5 | 38 |
| You're An Education | Remick | Pop | 46 | 7 | 31 |
| I Fall in Love with You Every Day | Famous | *College Swing | 46 | 3 | 31 |
| Good Night, Angel | Berlin | *Radio City Revels | | 9 | 29 |
| Heigh-Ho | Berlin | *Snow White | | 13 | 22 |
| It's Wonderful | Robbins | Pop | | 9 | 30 |
| How'd You Like to Love | Famous | *College Swing | | 6 | 25 |
| I Can Dream, Can't I? | Marlo | †Right This Way | | 6 | 26 |
| Whistle While You Work | Berlin | *Snow White | | 10 | 25 |
| You Couldn't Be Cuter | Chappell | *Joy of Living | | 4 | 12 |
| In My Little Red Book | Marks | Pop | | 1 | 20 |
| Love Walked In | Chappell | *Goldwyn Follies | | 9 | 16 |
| Sunday in the Park | Mills | †Pins and Needles | | 2 | 15 |
| On the Sentimental | Select | *Dr. Rhythm | | 1 | 21 |
| Always and Always | Feist | *Mannequin | | 2 | 17 |
| I Love to Whistle | Robbins | *Mad About Music | | 6 | 14 |
| Bewildered | Miller | Pop | | 1 | 18 |
| Thanks for the Memory | Paramou | *Big Broadcast | | 8 | 19 |
| At a Perfume Counter | Donaldson | †Casa Manana Revue | | 1 | 19 |
| Let's Sail to Dreamland | Spier | | | 6 | 17 |
| Two Bouquets | Shapiro | | | 4 | 15 |
| I Simply Adore You | Ager-Yellen | | | 4 | 20 |
| Cry, Baby, Cry | Shapiro | | | 0 | 17 |
| Moon of Manakoora | Kalmar-Ruby | | | 4 | 13 |
| Don't Be That Way | Robbins | | | 2 | 4 |
| Dipsy Doodle | Lincoln | | | 6 | 13 |
| Sissy | Witmark | | | 1 | 12 |
| Something Tells | Witmark | | | 5 | 11 |
| Where Have We ? | Robbins | | | 0 | 14 |
| More Than Ever | Miller | | | 3 | 8 |
| I Double Dare You | Shapiro | | | 6 | 14 |
| Garden in Granada | Southern | | | 1 | 12 |
| Romance in the Dark | Paramount | | | 1 | 7 |
| At Your Beck and Call | ABC | | | 0 | 16 |
| In the Shade of the New Apple Tree | Chappell | | | 5 | 12 |
| I See Your Face Before Me | Crawford | | | 2 | 11 |
| Gypsy in My Soul | Words-Music | | | 4 | 11 |
| I Was Doing All | Chappell | | | 2 | 10 |
| Ten Pretty Girls | Crawford | | | 1 | 9 |
| Who Are We to Say? | Feist | | | 3 | 7 |
| Rosalie | Chappell | | | 6 | 6 |
| Little Lady Make Beli | Olman | | | 3 | 14 |
| Toy Trumpet | Circle | | | 3 | 1 |
| Love Is Here to Stay | Chappell | | | 3 | 10 |
| The One I Love | Feist | | | 1 | 7 |
| Three Blind Mice | Tenney | | | 4 | 5 |
| Oooh Boom | Santly-Joy | | | 1 | 11 |
| One Song | Berlin | | | 4 | 10 |
| You Went to My Head | ABC | | | 3 | 10 |
| Sweet as a Song | Robbins | | | 2 | 10 |
| In the Still of the Night | Chappell | | | 1 | 8 |
| Good Night, Sweet Drea | Shapiro | | | 2 | 7 |
| Hometown | Crawford | | | 2 | |
| Two Shadows | Witmark | | | 1 | |
| Loch Lomond | Robbins | | | 1 | |
| There's a Goldmine in the Sky | Berlin | | | 5 | |
| You're a Sweetheart | Robbi | | | 1 | |
| My Heart Is Taking Lessons | Select | | | 2 | |
| Joseph, Joseph | Harms | | | 3 | |
| Serenade to the Stars | Robbins | | | 2 | |
| Let Me Whisper | Chappell | | | 2 | |
| Swingin' in the Corn | Berlin | | | 3 | |
| It's Easier Said Than Done | Olma | | | 3 | |

# 'Blue Gown' Song Jam-Up; Dreyfus Agrees to Change

Crawford Music Corp. last week changed the title of an imported tune, 'The Girl in the Alice Blue Gown,' to 'The Girl in the Bonnet of Blue,' after Max Dreyfus, controlling head of the firm, had been advised by counsel for Leo Feist, Inc., that injunction proceedings would be brought if the song were released under that tag. Feist claimed that the Crawford number was certain to be confused with a Feist copyright, 'Alice Blue Gown,' when the latter tune is revived in the filmusical version of 'Irene,' which RKO proposes to produce.

Dreyfus offered to make a royalty deal with Feist on 'Girl in the Alice Blue Gown' if the title were permitted to remain as is. Feist turned down this proposition and insisted that Crawford either withdraw the tune completely from the market or so alter the title that all possibility of confusion would be eli nated.

Dreyfus' ' lue Gown' was written in England and published by Irwi Dash. Feist's 'Alice Blue Gown' is by Harry Tierney and Joe cCarthy, part of the 'Irene' stage score and copyrighted by Feist in 1919.

In calling on Dreyfus to take his song out of circulation Julian T. Abeles, Feist counsel, stated that he would charge in his injunction proceedings that 'The Girl' was being put on the market in anticipation of the release of 'Irene' and that Feist had good cause for believing that the public's confusion over the two numbers would substantially damage its sale of sheet copies on 'Alice Blue Gown.'

Dreyfus wanted to know why no action was taken against Dash when the latter released the number in England. Abeles replied that Feist has already asked the assignee of the British rights to 'Alice lue Gown,' Francis, ay & Hunter, to start sue suit.

**Burton L .** and Frank Loesser turned in the score for Paramount's 'Avalon.'

# Dorsey, Krupa, Berigan Booked With Refund-If-Not-Satisfied Proviso

Tommy Dorsey, Gene Krupa and Bunny Berigan are being sold under a policy which permits a dance promoter or theatre a refund from the guarantee figure if the date doesn't turn out a profitable one. Arthur Michaud, the bands' common manager, figures that through this unusual procedure these orchestras are able to maintain top prices and at the same time protect the ballroom and theatre operators from taking a licking because of adverse local conditions.

Michaud declared Monday (11) that his bands have been making the refunds on their own volition, but only after they had made a check of the spot's general overhead and special exploi tion expenses and become convinced that the guarantee was out of line with local possibilities. Michaud said that he considered this method as good business for his name units and it acts as an inducement to promoters and theatre operators to pay the salaries he asks.

Krupa's orchestra plays six college dances while out on the road on its initial one-night tour. Virginia U., St. Lawrenceville Prep, Georgetown, and three fraternity hops are listed.

Deal is also in the works for a date at the N. Y. Paramount, which will probably be deferred until the band is firmly welded. First or second week in June is likely.

Krupa and Berigan will be Tommy Dorsey's guests at the N. Y. Paramount for a three-cornered swing season at the last show tomorrow night (Thurs).

After the Broadway Paramount booking starting today (Wednesday) Dorsey one-nigh's it to St. Louis, where he takes up some theatre dates and from Detroit and Chi hops to the Palomar, Los Angeles, opening June 29 for the summer. All under Rockwell-O'Keefe auspices.

Skeets Herfurt, Dorsey's sax, and Dorothy Osmers, Glen Ridge, N. J., girl, formally announced their wedding plans this week and will probably tie the knot before the trek west.

## Elite

Hollywood, April 12.

Ten top pop male warblers, as designated by Professional Music Men of America (song pluggers) at shindy to Bob Hope last Sunday night, are, in the following order:

Bing Crosby, Dick Powell, Tony Marti Ozzie Nelson, Rudy Vallee, Buddy Clark, Kenny Baker, Benny Fields, Frank Parker and Hope.

Hope made the grade on the strength of his rendition of 'Thanks for the Memory' in Paramount's 'Big Broadcast' and on the air.

# WARNERS LOSE 1ST SKIRMISH TO SHUBERTS

ros. lost Monday (11) 1 rst court tilt with the Shuberts in connection ith some 23 suits brought by the latter's subsidiary, April Productions, Inc. Justice Hammer, of the N. Y. Supreme court, dismissed WB's plea that the state tribunal had no jurisdiction over the litigation. Film producer, whose Harms, Inc., is the defendant named in all these actions, had contended that the suits should have been brought in the Federal court since the dispute involved a question of copyright infringement.

Justice Hammer's ruling concerned a batch of nine of these suits, with damages and royalties totaling $990,000 asked by Shuberts. Latter have been clai ing that while Harms had the exclusive publishing rights to all the April Productions scores it had no authority to grant broadcasting rights. In none of the April suits are there any stations or dates of broadcasting cited. Harms' answer has been a general denial of all allegations.

**Lang Thompson** opens New Terrace Beach Club for CRA on May 30.

Feist

WHO ARE WE TO SAY
SHADOWS ON THE MOON
MARIACHIE
GIRL OF THE GOLDEN WEST
By Sigmund Romberg and Gus Kohn
From the MGM picture "The Girl of the Golden West"

The Sensational Mexican Waltz Song
TI-PI-TIN
Music and Spanish Lyric by Maria Grever
English Lyric by Raymond Leveen

AN OLD STRAW HAT
By Mack Gordon and Harry Revel
From the 20th Century-Fox
"Rebecca of Sunnybrook Farm"

ALWAYS AND ALWAYS
By Bob Wright, Chet Forrest and Edwar
From the MGM picture "Mannequin"

THE ONE I LOVE
y Gus Kahn,
rom the MG

Jimmy Dorsey's Grand Tune
IT'S THE DREAMER IN ME
By Ji my Dorsey and Jimmy Van Heusen

Leo Feist inc.
1629 BROADWAY • NEW YORK

## On the Upbeat

**Leighton Noble** booked at Palace hotel, San Francisco, opening May 6.

**Stuart Churchill** rejoins Fred Waring's band in Washington, April 18.

**Fats** iling April 18.

**Jimmy Dorsey** stays at the New Yorker hotel, N. Y., until May 15.

**Carl Moore** opens summer season for Westview Park, Pittsburgh, May 28.

**Neil Bondshu** opens a six-weeker at Lake Merritt hotel, Oakland, Cal., April 21.

**Carl Ravazza** stays four more weeks at Drake hotel, San Francisco.

**Norman Campbell** managing Isham Jones with MCA booking.

**Bill McCune** renewed at Bossert hotel, Brooklyn, N. Y., for summer season of the arine Roof.

**Isham Jones**, enny Goodman and Red Norvo vacate respective spots at Lincoln, Pennsylvania and Commodore hotels, New York, May 1.

**Chick Webb** plays RKO theatre, Boston, week May 5, then three weeks of one-niters through New England.

**Jack Winston**, who is now on tour in the Pacific Northwest, will stay on the road with his band for 20 more days.

**Joe Sudy**, formerly of Henry King's orchestra, will keep his band in the Rio Del Mar, Mexico, until June.

**Jan Garber's** orchestra continues at Topsy's, Los Angeles, until mid-June under a contract extension.

**Bunny erigan** crew holds over for another four weeks at the Paradise Restaurant, N. Y.

**Spud Murphy** orchestra opened at the Casino Gardens, Ocean Park, Cal., March 31.

**Barara Bennett**, ex-songbird with Jimmy Walsh's band, won competitive audition with 100 other canaries for warbling spot with Carl Ravazza's Sir Francis Drake now playing in San Francisco. Bay district radio editors selected Miss Bennett as being the best of the lot.

**Jack Winston** back in San Francisco awaiting further bookings by the Consolidated Radio Artists following a successful one-night stand tour of the Pacific Northwest.

**Carvel Craig**, maestro of band now playing on the Roof Garden of the Hotel Whitcomb in San Francisco, is seeking a name for a new effect secured by stuffing trombones with bath towels.

**Bennie Bartlett's** 15-piece juve band recording discs to be sent east for the o.k. of recording companies. All members of the outfit are under 15 years of age.

**Harry Owens** and his crew recorded five Hawaiian numbers for Decca, with five more to go.

**enry King's** orchestra follows Harry Owens into the Beverly Wilshire, Beverly Hills, April 19.

**Ozzie Nelson** opens April 20 at Los Angeles Palomar for an indefinite stay.

**Ran Wilde** unveils at the New Yorker hotel, N. Y., May 16.

**Schnickelfritz** band will supply the music for first annual Directors-Writers-Actors Tri-Guild ball April 21 at Cocoanut Grove, Los Angeles.

**Paul Whiteman** plays Ring Dance at Annapolis, May 30. Date is one of country's plums.

**Jack Whittemore** resigned from Rockwell-O'Keefe one-niter department this week. Will rest before making plans.

**Jerry Livingston** plays Polish Home, Passaic, N. J., April 17; Lakewood Park, Mahanoy City, Pa., 18; Philadelphia hotel, Philly, 22, and Rutgers College, New Brunswick, N. J., 23.

**Peter Kent** into Manhattan Room of New Yorker hotel, N. Y., April 19 for ROK.

**Bernie Dolen** succeeds Sonny Kendis at Belmont-Plaza hotel, N. Y., April 19.

**Russ Morgan** opens Pleasure Beach Park, Bridgeport, Conn., May 15 for CRA.

**Jack Denny** plays senior prom for Notre Dame U., South Bend., Ind., May 6. ray Gordon plays for Marquette's prom, Milwaukee, May 13.

**Lon Chassey** band into the Greenbrier, White Sulphur Springs, W. Va., next Wednesday (20).

# 15 Best Sheet Music Sellers

*eek ending April 9,*

| | |
|---|---|
| Ti-Pi-Tin | Feist |
| *Whistle While You Work | Berlin |
| Please Be Kind | Harms |
| *Heigh-Ho | Berli |
| *Thanks for the Memory | Paramount |
| *Love Walked In | Chappell |
| *Goodnight, Angel | Berlin |
| *Old Apple Tree | Witmark |
| *On the Sentimental Si | Select |
| You're an Education | Remick |
| *How'd You Like to Love Me? | Famous |
| *Toy Trumpet | Circle |
| It's Wonderful | Robbi |
| *Always and Always | Feist |
| Let's Sail to Dreamland | Spier |

** Indicates filmusical song. † Indicates stage production song. The others are pops.*

# Inside Stuff—Music

Phonograph Operators Association of Eastern Pennsy and New Jersey, organizing owners of the coin machines along the entire Middle Atlantic seaboard as part of a move to get groups in all parts of the country into a single powerful body. Philly is the key city.

Organization meetings were held during the past week in Washington and Newark. Frank Hammond, biz manager and exec secretary of the Philly group, addressed both meetings. About 30 operators attended the confab at the Hayloft Club in Washington last Wednesday (6). R. L. Transeau, late of the Silent Sales Corporation, was named exec secretary of the unit.

Newark chapter met in the of the Pennsy unit will meet next Monday (18).

Shapiro, Bernstein & Co. has obtained the copyright renewals of 'On Brave Old Army Team,' 'Army Blue,' 'Hoo-rah for the Army Team' and 'On Hudson's Shore' from Capt. Philip Egner, bandman at West Point. The renewals won't become effective for a year. In the case of 'On Brave Old Army Team' Shapiro has held the performing and sync rights, while Melrose Bros. Music Co., of Chicago, controlled the band and sheet rights.

Numbers dominate in the repertoires of bands playing at football games, but what makes them particularly valuable is that their inclusi in gridiron broadcasts pays big in performance points with the American Society of Composers, Authors and Publishers.

H. W. Schwartz, sales promotion manager of the Conn usical Co., has written a book titled 'The History of Musical Instruments: From Shepherd's Pipe to Symphony.' It's published by Doubleday Doran and due out April 22.

# COIN NOT READY ON TIME—BAND WALKS

is Armstrong Rockland Palace ballroom lem, N. Y. night of April 9 when promoter couldn't raise dough to cover Armstrong's crew or relief band.

Band was supposed to collect total sum at 10 p.m. When time came only 200 hoofers had appeared at dancery but band played for two hours on strength of deposit. strong and reliefers walked when dough didn't show and mob proce ed to agitate until they got refunds.

BERLIN • BULLETIN

RADIO CITY REVELS The Greatest Score in Years By Magidson and Wrubel
GOODNIGHT, ANGEL
THERE'S A NEW MOON OVER THE OLD MILL
TAKE A TIP FROM THE TULIP
SWI IN' IN THE CORN

A Flock o' Hits from
"SNOW WHITE AND THE SEVEN DWARFS"

HEI ! (The Dwarfs' ing Song)
SOME DAY MY PRINCE WILL COME
WITH A SMILE AND A SONG
WHISTLE WHILE YOU WORK
ILLY SONG (THE DWARFS' YODEL SONG)
BLUDDLE-UDDLE-UM-DUM (The Dwarfs' Washing Song)
WISHING

The Best Novelty Song of the Year
YE KEN JOHN PEEL?

HARRY LINK, Gen. Prof.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

# THE SENSATIONAL EUROPEAN SUCCESS

## "THE GIRL IN THE ALICE BLUE GOWN"

Has Been Acquired by Us From

## Irwin Dash, Ltd.

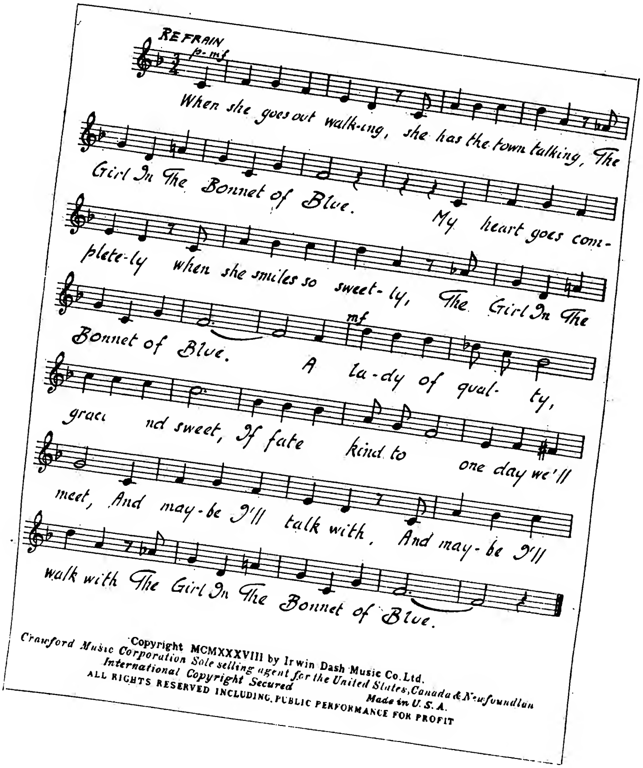
And Will Be Issued This Country Under the Title

# 'THE GIRL IN THE BONNET OF BLUE'

We sincerely believe

## "THE GIRL IN THE BONNET OF BLUE"

will achieve outstanding popularity. It is indeed a truly remarkable song—a song that has natural popular appeal. Please note that the text is merely changed to the extent of the substituted words in the title. In all other respects the lyric and the music remain as in the European publication.


REFRAIN
p-mf
When she goes out walk-ing, she has the town talking, The
Girl In The Bonnet of Blue. My heart goes com-
plete-ly when she smiles so sweet-ly, The Girl In The
Bonnet of Blue. A la-dy of qual- ty,
mf
grace nd sweet, If fate kind to one day we'll
meet, And may-be I'll talk with, And may-be I'll
walk with The Girl In The Bonnet of Blue.

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●

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The New Ballad Fox Trot
MOONSHINE OVER KENTUCKY
By Pollack and Mitchell
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"KENTUCKY MOONSHINE"

New Sensational Novelty Hit
I LOVE TO WHISTLE
By McHugh and Adamson
from the New Universal Production
"MAD ABOUT MUSIC"

A Positive "Natural"
WHERE HAVE WE MET BEFORE?
By Louis Prima, Mitchell Parish and Jimmy Kiser

Coast-to-Coast Hit
IT'S WONDERFUL
By Stuff Smith and Mitchell Parish

The New Ballad Hit
THERE'S A VILLAGE IN A VALLEY
By Mitchell Parish and Abner Silver

ROBBINS MUSIC CORPORATION • 799 SEVENTH AVENUE • NEW YORK CITY

# AFM Nixes NBC Raids on Philly Orch, Rules Vs. 2 Who Quit for More Pay

Philadelphia, April 12.

Raid on 'first' in the Philly orchestra by the National Broadcasting Symohony for next season was nixed last Thursday (7) by American Federation of Musicians. Joseph N. Weber, AFM prez, ruled at a confab that 'first' players, according to their contracts, must give six months' notice of intention to resign.

Two men who received tempting offers from NBC failed to give notice. They are Charles Gusikoff, trombonist, and Anton Torello, contrabassist. They asked the Philly Orchestra Assn. to waive the time provision, but the association refused, and appealed to the union, which upheld the Assn. All binders are reciprocal, and the Orchestra must give an equal amount of dismissal notice.

Raids are also being made on other sections of the Orchestra. There have been many auditions recently, principally in the viola section. Other than first-desk men need give only six weeks' notice, and it's possible some have accepted the bait of higher salaries.

Gusikoff has been with the Orchestra five years; before that with Walter Damrosch's New York Symphony. Torello has bull-fiddled with the village band since 1914.

Several other symphs throughout the country have already felt the effects of Arturo Toscanini's demand for the best musicians with his NBC group. Detroit is said to have suffered worst, with Chicago and Cleveland not far behind. Reginald Allen, manager of the Philadelphia Orchestra, is credited with a coup which kept him from losing a single man.

Seeing that raiding was inevitable, he offered to 'lend' Toscanini as many men as he wanted as often as he wanted. It turned out, however, that rehearsals on that basis would have been impossible, and NBC gratefully declined the offer. It then felt it would be unsporting to attempt to take the men away.

## Stoki in Legit?

Philadelphia, April 12.

Report that Leopold Stokowski may go into legit is being scoffed at by friends here. Said that William Kozlenko had discussed with Stoki, before he left for Europe, a play which he was writing and has since finished. Script is to be shown the maestro on his return.

Although Stoki sprang a surprise by going into films, associates here pointed out, similar surprise in going into legit can hardly be expected. He justified film work with explanation that he was thus carrying fine music to millions of people. Anyway, friends say, he's admittedly n.s.h. as an actor. But then there's the $80,000 per picture he is getting.

## CHI MUSICIANS UNION TABUS JAM SESSIONS

Chicago, April 12.

Increasing habit of musicians, especially the younger players, to sit in on jam sessions for some hot licks has brought about a flat ruling by the Chicago Federation of Musicians putting an absolute nix on swingo conclaves in which outside musicians come in to augment the regular orchestra without permission of the federation's board of directors.

Chicago federation has labeled as jam sessions those impromptu swing affairs where outside musicians appear in places of business with their instruments for the purpose of sitting in or augmenting the room's regular orchestra.

Jam sessions have been getting pretty rampant throughout this territory with the young musicians showing up at regular niteries and ballrooms to sit in with orchestras, figuring on getting practice, and a possible personal rep with the gates and the alligators.

## Coast Band Shifts

San Francisco, April 12.

Starting with Nat Brandwynne taking over Henry King's stand at the Fairmont, the local dance band situation will go through a thorough renovation. Brandwynne will be followed this summer by Xavier Cugat and Pancho, with King due back Sept. 20.

Harry Owens replaces Roger Pryor at the St. Francis April 19, with the latter going to Catalina. Anson Weeks follows Joe Reichman at the Mark Hopkins April 21, with Griff Williams booked next at an indefinite date and Reichman set to return New Year's Eve.

May 5, Leighton Noble, singer with late Orville Knapp, brings his own band into the Palace, replacing Joe Sanders, and in turn he will be supplanted Sept. 3 by Paul Pendarvis.

## Jepson's L. A. Date

Hollywood, April 12.

Helen Jepson is due here from New York April 19 to fill a concert engagement.

While in town she will discuss plans for her forthcoming picture with Samuel Goldwyn execs.

## GEORGE HALL'S LONG HINTERLAND TREK

George Hall stars to May 8 on a tour of one-night stands among southern colleges. His bookings will keep him on the road up to Labor Day, when he is slated to settle down again at the Taft hotel, N. Y.

Hall's band will also do a week each at the Earle, Washington, and the Hipp, Baltimore the latter part of June.

## Sign Five Batoners For Stadium Concerts

Willem Van Hoogstraten has been signed as one of the conductors at the Lewisohn Stadium concerts in New York this summer. It will mark his 18th season with the concerts.

He joins Jose Iturbi, Alexander Smallens, and two newcomers, Massimo Freccia and Macklin Marrow, all of whom will alternate on the podium during the season. For Freccia it will mark his American debut.

## WURLITZER WINS CASE

### Musician Claimed Violin Was Worth $70,000—Court Thinks Otherwise

Cleveland,

Louis Tatty, Cleveland musician, lost his $55,000 suit against the Rudolph Wurtitzer Co., which he charged had cheated him on a violin that he had said was worth about $70,000.

Case was tossed out of court by judge who ruled there was nothing to substantiate his charge of conversion, since Wurlitzer gained possession of violin in a legal transaction, by buying it in at a bailiff's sale following foreclosure action.

Jay C. Freeman, violin expert from New York, testified that the so-called Stradivarius was an imitation, worth approximately $150. Musician was told derisively by Wurlitzer attorneys that he could get his 'Strad' back if he paid off a $250 note, plus interest.

## AFM Sock at Troc

Hollywood, April 12.

Clamp-down by the American Federation of Musicians on the Trocadero cafe won for Panchito and his LaConga orchestra $1,400 in severance pay. Leader claimed his outfit was dismissed without the customary two weeks notice and was upheld by the union.

Union threatened to pull new band unless the club management effected a settlement satisfactory to Panchito.

## Skinny Ennis' Own Ban

Charlotte, N. C., April 12.

Skinny Ennis, local boy, who has been vocalist and drummer with Hal Kemp's band since they attended the University of North Carolina together, has organized his own unit.

Ennis is booked to open his orchestra at Victor Hugo's Supper Salon, Los Angeles. Kemp helped Ennis put the unit together and holds a half interest in it.

## Artur Rodzinski Cancels Europe Tour for U.S. Dates

Cleveland, April 12.

Artur Rodzinski, conductor of Cleveland Symph, has canceled eight of his European engagements for this summer. Tour was to have included two concerts in Vienna, one in Salzburg, another with London Symph and appearances in Budapest, Paris, Stockholm, Warsaw and Prague.

Instead of going abroad for the summer, according to his usual custom, Rodzinski signed for two weeks of concerts in Chicago, beginning June 30, and two more in Hollywood Bowl, starting July 25. Conductor said U. S. dates were the only reasons for his continental cancellations.

## HOFMANN $11,200 BEST OF N. Y. CONCERTS

Josef Hofmann's concert at Carnegie Hall last Saturday afternoon (9) and Sunday night (10) topped New York concert biz during the week. Philharmonic-Symph, John Barbirolli conducting, gave its three regular concerts in addition to the extra one Wednesday afternoon (6) for the Henry Hadley Memorial Fund.

Trudi Schoop's only performance in New York this season Monday night (4) also did good biz.

### Estimates for Last Week

**Philharmonic-Symph,** Carnegie Hall (2,760; $3.60). Three concerts, Thursday night (7), Friday afternoon (8), and Sunday afternoon (10) did approximately $13,000. John Barbirolli conducted; Abram Chasins, pianist-composer, the soloist.

**Trudi Schoop Ballet,** Carnegie Hall (2,760; $1.50-$3). Only New York appearance of the season Monday (4) drew good house, about $5,500. Appeared the following night at Brooklyn Academy of Music for another big house. Sailed Saturday (9) for Europe.

**Josef Hofmann,** Carnegie Hall (2,760; $3-$1.10). Pianist, still celebrating his jubilee year, drew sellouts in two performances, about $11,200. Performances were both sold out in advance, with standing room going on sale one hour before the start of the performances.

## SOKOLOFF IGNORES CHARGE VS. HERTZ

San Francisco, April 12.

Charges of incompetency against Dr. Alfred Hertz, Northern California head of the Federal Music Project, were laughed off by Dr. Nicolai Sokoloff, national director of the FMP. Sokoloff, visiting here, passed buck to State Labor Relations Board, which functions under State WPA administrator Lawson.

He criticized neglect of committee, led by Mrs. Jehanne Bietry-Salinger, to send substantialion of charges to Lawson and to sign individual names. Mrs. Salinger, whose signature was the only one on the protest sent Dr. Sokoloff, called his rebuff an arbitrary attitude'—the same phrase she used in assailing Hertz.

## PICKET PHILLY HOTEL

### Broadwood Won't Guarantee Union Label on Party Music

Philadelphia, April 12.

Musicians' local picketing the Broadwood hotel here as result of management's refusal to sign closed shop agreement. Union, as in New York, where similar picketing is taking place, demands hotel allow only organized bands to play at private functions in the hostelry.

Numerous confabs with the management, including one which lasted five hours yesterday (Monday), failed to bring an agreement. Management is adamant in its insistence that persons who rent the ballroom or other smaller rooms may bring in whatever music they choose.

## Hudson-deLange Apart

Hudson-de Lange band has come to parting of ways. Dual-named crew have been operating out of Mills Artists for about five years.

Bill Hudson remains with Mills on solo basis with the band. Ed de Lange, lyricist of the song-writing-maestroing team, upset on future.

## ST. LOO SYMPH ENDS RENTAL SNARL

St. Louis, April 12.

Squabble between city authorities and the St. Louis Symphony Society over the rental of the opera house in the municipal auditorium was settled last week when the Symph agreed to pay $25,000 rental for two years. A new measure is expected to be introduced in the Board of Aldermen to settle another snarl on parking facilities for the Symph.

Several months ago directors of the Symph threatened to find another auditorium for the 1938-39 season if the city did not reduce the rent and lift the parking restrictions near the building which, it was claimed, caused a patronage decline during the past season. The society also wanted a one-year contract at $10.000 and the city countered with one for three years, with the rental $10,000 for the first and $15,000 for the succeeding two. Compromise, signed by James E. Darst, manager of the auditorium, for the city, and George Spearl, chairman of the society's executive board, fixes a two-year contract with a rental of $10,000 for the first year and $15,000 for the second.

An ordinance permitting unlimited parking after 2 p.m. in a restricted area around the auditorium, exceeding the one-hour regulation now in force, will be introduced to the Board of Aldermen.

## MOYER FILLS DALLAS CONSOLIDATED POST

Frank Foster, nee Fishman, out as manager of Consolidated Radio Artists, Dallas, Tex., office. Charles Moyer replaces Foster who will open his own office there aided by his younger brother Billy.

Moyer is brother of Ken Moyer, Music Corp. of America's Texas band. Deal being worked to bring freres together in CRA.

CRA office officially denies that Stan Zucker, v-p, is exiting. States that contract still has some time to run. Also Billy Shaw in one-niter department stays. Latter got a bonus last week for grossing $110,000 on two weeks of one-niters with Don Bestor. Bob Wilson succeeded Billy Wolfe, former head of club department, who quit last week. Herbie Mintz, former maestro, has jonied Chi office of CRA.

## Buddy Rogers Booked For Company's Shindig

Mason City, Iowa, April 12.

First name band of the season at Clear Lake's Surf dancery is that of Charles 'Buddy' Rogers, booked for a one-nighter tonight (12). Peoples' Gas & Electric company of Mason City is sponsoring the dames.

First time in a long series of such affairs to use a name band.

## O'Hare Runs Ballroom

Chicago, April 12.

Husk O'Hare opening his own ballroom on the far northside, taking over the Cocoanut Grove spot out in the Morton Grove suburb and relighting it this Saturday (16).

Besides being impresario of the dancerie, O'Hare will lead his own orchestra.

3 New "Naturals"

★ CRY, BABY, CRY
By Jimmy Eaton & Terry Shand

★ SO LITTLE TIME (So Much to Do)
By Billy Hill & Peter De

★ I LOVE YOU WITH ALL MY HEART

Shapiro, Bernstein & Co., Inc.
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# St. Louis Nitery Ops See New Way To Nip Rum Snoopers—Selling Soda

St. Louis, April 12.

To circumvent what they claim are harassing tactics by liquor violation snoopers from Excise Commissioner Lawrence McDaniel's office, as well as gendarmes, several nitery owners are expected to follow the example set last week by Walter Miller, owner of Club Swingland, a heavily patronized nitery in midtown, who surrendered his liquor license and advertises he will sell no liquid but soda. Miller is presenting three revues ightly and enforcement agencies are casting a suspicious eye on the place because they assert he cannot operate profitably by selling only soda. Miller claims he cannot prevent patrons from totin' their own liquor and mixing highballs at the tables.

There are no local laws which fix a closing time for the niteries but there is a deadline for the sale of liquor. Anthony Scarpelli, owner of Club Plantation, a nitery featuring all sepia talent for whites only, was pinched last week after cops are said to have made liquor purchases from a Negro waiter at 2:30 a.m. Scarpelli, who faces a revocation of his liquor license, claims he knows nothing of the sale.

Mable Thorpe, manager of a nitery at the Blackstone Hotel, was nailed along with several male employees after cops allegedly bought liquor at 3:45 a.m., when the place was crowded and a show in progress. Other iteries that received word from the excise commissioner's office to show cause why their liquor license should not be revoked for selling after the legal hour are the Bismarck and the Victorian clubs. Others shutting off liquor sales at the prescribed hour to prevent friction with the authori-

A series of complaints to gendarmes and McDaniel's office that liquor laws were being openly violated all over the burg is the cause of the current purge.

## Despite Picketing, Al Pearce Sets St. L. Record with $38,500

t. Louis, April 12.

Despite picketing by the Automobile Workers of America, a CIO offiliate, Al Pearce and his Gang shattered all house records since 1931 last week when, in a one week's engagement ending Thursday (7), at Fanchon & Marco's 5,000 seater, the Fox, attracted approximately $38,500 to the b.o. This bettered by $10,000 the previous high take for a single week, since 1931, hung up several weeks ago by Mae West who made a p.a.

Miss West collected 50% of the $28,500 take but Pearce, working on a flat guarantee, enabled the house to make a sock profit. The largest crowd to Pearce's engagement was on Sunday (3) when, according to Harry C. Arthur, Jr., v.p. and general manager of F. & M.'s interests here, customers invaded the organ loft and watched the show through the grills. Pearce also conducted his weekly broadcast last Tuesday (5) from the Orpheum theatre, and the Ford Motor Co. distributed 4,000 tickets to agency managers, customers, etc. The house was fill for the two broadcasts.

The KMOX 'Revels' featuring talent from CBS' local station began a week's run at the Fox, Friday (8).

## L. A.'s Sunday Vaude

Los Angeles, April 12.

Irene Franklin will headline the opening bill for the Sunday night vaude series April 24 at the Wilshire Ebell theatre.

Initial program will carry nine other acts.

### SINGS AT FORD ANNI

Lysbeth Hughes, vocalist and harp instrumentalist with Horce Heidt's band, sang at the Henry Ford golden wedding celebration in Michigan this week. She was the only girl selected for vocal turn.

Special costume she wore will be laced in the museum at Dearborn, ich.

## M'w'kee's New Vauder Slated to Open April 16

Chicago, April 12.

The Alhambra, new vaude theatre, will open in ilwaukee April 16. Boyle Woolfolk office here booking.

Will be a stage band policy, using five acts on a weekly change setup. First show goes in for six days, all subsequents also starting on Fridays. A. J. Cooper managing the Alhambra for the Great Lakes Theatre Co.

Alhambra will set a top of 25c, the lowest in the town for vaudfilm. Makes third vaude spot in downtown sector, others being the indie Riverside, running regular vaude policy, and the Midwestco Palace, which plays stage shows occasionally.

## PUPPETS MUST BE LICENSED: PAUL MOSS

arionette shows, though shown gratis, must be licensed, according to Commissioner Paul Moss, if displayed in places other than theatres. Moss strolled through the Women's Exposition at Grand Central Palace, N. Y., last week and noticed two puppet shows operating, one in the booth of the New York Telephone Co. and the other in the space occupied by a propri icine company.

He advised those in charge of the respective exhibits that a permit costing $50 was required, despite the fact that no admission was charged. That was a new one to the expo building operators. They paid up, however.

Moss explain by saying that marionettes are classed as common shows and when displayed in a theatre his department did not figure, since the house pays a $500 annual license covering all presentations it may book. Palace has no such covering license, however. And, anyhow, said the commissioner, the sponsors of the two puppet outfits in question are rich commercial firms and 'the city needs the money.'

Telephone company show was presented by Sue Hastings, whose marionettes are included in one of the scenes in 'Hooray for What,' at the Winter Garden, N. Y.

## KIDDIE SHOW BRINGS CHILD LABOR CHARGE

lackwell, Okla., April 12.

Charges alleging violation of the Oklahoma child labor law have been filed in the county court here against Alvin Johnson, manager of the Bays theatre, in connection with a 'tiny-tot' revue which was presented in his house. Charges were filed by Zelda Harrell, from the state labor commission offices, and allege that children 'being under the age of 14 years were permitted to work in a theatre.'

Johnson states that he had leased his theatre for the night and had nothing to do with the show. Lessees were John Brownback and Frank O. Smith, owners and promoters of the Tiny Tot Revue. Similar charges were filed against the two promoters.

## Graver Pinch-Hitting

Philadelphia, April 12.

Larry Graver, Warner Bros. district manager, temporarily taking over management of vaudfilm Earle here since death of Herman Whitman last week. Harold Seidenberg, of the Fox, had been doing dual duty at the Earle in the two-week interim between Whitman's collapse and his death. He had been aided by Skip Weshner, who is in charge of all first-runs for WB, and Harold Brason, Whitman's assistant.

Management post probably will permanently be filled today or tomorrow.

### Who's That Lady?

Philadelphia, April 12.

When Ann Corio's unit played Fays here several weeks ago, she became dissatisfied ith what she thought was insufficient publicity for her by manager, Rube Bernstei . Hinda Wassau, playing at the Shubert, it seems was getting all the space in the papers. Investigation by Miss Corio as to the reason resulted in Bernstein's dismissal.

Miss Wassau
Bernstei

## NITERY OPS SEE UNION SNARL IN PHILLY

Philadelphia, April 12.

Nitery operators here looking forward to head pains when present contracts with Cooks, Waiters and Bartenders Union, American Federation of Labor, expire next month. Cooks and bartenders understood to be willing to continue at present wage scale, but iters are asking 17% increase.

Entrepreneurs are determined there will be no tilts in light of present bad biz. Art Padula, Arcadia-International op and prez of Philadelphia Restaurant Assn., called demand for hike 'suicidal.' He said many spots would be forced to shutter unless waiters agree to accept present scale.

## Ted Lewis Balks At 'Amateurs' In His Own Show

Hartford, Conn., April 12.

Rather than have amateur acts encroach on his show Ted Lewis 'would rather starve.'

Emphatically and in no uncertain terms he so expressed himself Thursday at the conclusion of his first show at the State Theatre. Several amateur acts, advertised as 'Ted Lewis auditions,' had been tacked on at the tail end of his show by the house. The amateurs had been rounded up from a local dancing school.

Lewis felt that acts detract from his show and are extremely cheapening. Also felt that his show did not need any supplemental support, that it could and should stand on its own feet after all these years. Put up a hefty squawk at front office about this and the low admission price. Claims that it was the first time that he had played to prices as low as 15c. At show caught Friday (8) there were no amateur acts on the bill with him. Business good.

## Detroit Trolley Strike Cancels Police Benefit

Detroit, April 12.

trike of Detroit's street car operators, leaving 700,000 daily users stranded for 1½ days last week, forced cancellation of benefit show for two police heroes, skedded for Fox theatre here this Saturday midnight (16).

George Jessel and Norma Talmadge, plus array of talent from local niteries and radio stations, were to have taken part in benefit. Manager Dave Idzal called off the show after Fred W. Frahm, superintendent of police, explained that 'because of the extra duty hours of the police, due to the trolley strike,' policemen would be unable to sell tickets for the benefit.

### ATLANTA

tn. April 12.

Capitol, local co bo house, plans to continue vaudfil policy through the summer, despite many other spots going straight film during hot months.

Theatre is booked by A. C. Cowles, New York office.

# N. Y. Legit Agent Group Will Discuss Inclusion of Vaude, Nitery Bookers; Topnotchers May Play 'Freezeout'

Given the go sign by Equity, New York legit agents have called their first official meeting for Monday (18) night. At that time a name will be selected for group and plans for bringing in vaude and nitery agents will be discussed. Idea was for Equity group to form nucleus of a general agent organization but whether this will go through is uncertain. There is a possibility that upper bracket boys will insist on a closeout similar to Coast agent group of topnotchers, excluding small timers, who will then for their own setup.

Attitude of Equity group is that it will not make any overtures to lightweights, letting them act toward consolidating under one head. Next two weeks will see Equity group operating in full force, it is believed, with membership paying regular dues.

eanwhile, the Entertainment Managers Assn. (club daters) is laying groundwork for reintroduction in Albany of the Breitbart-Quinn agent bill in January, 1939. Defeated in last session, EMA-sponsored regulation will get several changes and go back for legislation as separate agent bill not to be included under general employment agency laws. Group wants tieup with any or all agent orgs for co-op action in cleaning up agent field and presenti united front.

Howard Wheeler, prez of EMA, will speak before members of the National Variety Artists Sunday night (17) on the proposed bill and also on the agent cleanup drive. Later in the week he speaks before the Professional Entertainers of New York (Peonys) on same matters.

In addition, a meeting has been called by the Metropolitan Employment Agency Assn. for tomorrow night (Thursday). Although a commercial body, it indirectly covers theatrical agencies under existing general business laws on agencies. Some show bi reps are expected to attend. Idea is to keep close tab on the constitutional convention current in Albany and possibilities of employment agencies being wiped vi lobby influence of State Labor Department. Foregoing is reason EMA measure is under separate cover and away from generalization.

Paul Moss, license commissioner, stated yesterday (Tuesday) that his drive against chiseling, unlicensed agents will start rolling May 1 when licenses come up. He is waiting for word from various factions before proceeding, although assured of aid from legit percenters, the American Federation of Actors, the Theatre Authority, etc. He says he will spend all May on Broadway, personally, lending first hand aid to those who would assist in the house-cleaning.

Gathering of about 75 nitery and vaude agents headed by Louis Loomis will get together with Lou Randell (Equity group) tomorrow (Thursday) or Friday at the Edison hotel, N. Y., to discuss amalgamation. Loomis was preparing a list of selected agents late yesterday (Tues-

## Name Nitery Performer In Philly Divorce Suit

Philadelphia, April 12.

an-on-the-flying-trapeze-act was charged against illiam Dougherty, nitery entertai in divorce proceedings here. George Charles, 31, testified in court that his wife, Helen, spent virtually all of her time 'practicing singing and danci ith Dougherty.

When he complained in 1935, he said, she packed up and left him. Since then she has been appearing in a ballroom dance act with Dougherty.

Divor ranted.

## 4 CROONERS SUE FOR HORNER ELECTION

St. Louis, April 12.

Four singers, who tagged themselves the 'Horner Quartet' as they electioneered with their warbling during Henry Horner's successful campaign for Governor of Illinois in 1936, last week filed suit in the Springfield, Ill., circuit court for $1,000 unpaid salaries, against the Governor's campaign manager, F. Lynden Smith, and the Iroquois League, which supported the Governor's candidacy.

The warblers are Fred Raney, Rudolph Keil, Gene Smith and Roy L. Fox and their petition states they were employed by Smith to sing at Horner rallies during July, August September and October, 1936, at $150 per month each, but to date have received only $350 each. Horner's campaign expenses were paid by the Iroquois League.

## Air's 'Witch's Tale' Orgs Vaude Groups; Percentage Deals

Deal has been set for WOR-Mutual network to book its seven-year-old 'Witch's Tale' sustainer as a 75-minute stage show. Several companies of briefie dramatics planned. First, 'Murder in Haunted Theatre,' already in rehearsal. Will play all on percentages. Original company to continue on air.

Shows will be staffed by Equity members, companies averaging about 12, including technicians. They're being built to play vaudfilmers, and extra midnight shows where theatre policy won't permit interruption, under auspices. Tie-ups with local little theatre groups, too. Figured added advantage to let locals in and thus attract more bi Units are to be inexpensive i iew of light dramatic casts and minimum Equity salaries.

Deal worked between Alonso Deen Cole, author, and Arthur Brillant. There are 350 scripts to work with. Special illusion and spook effects are being worked out. Program is a participating setup every Tuesday night at 10:30.

Deal is on for a break-in on the Comerford time in Pennsylvania. Fanchon & Marco was reported after the stunt but deal fell through. First stage-showing of radio scriptie.

## Abbott and Costello Play 6-Day Baltimore Date

Abbott and Costello, comedy duo on the Swansdown show for the past eight weeks, will be replaced tomorrow night (Thurs) for the one broadcast by Hugh Herbert, film comedian. Calvary Episcopal Church choir also will guest then.

Comedy pair open Friday (15) at the Hipp, Baltimore, for a six-day p.a. closing Wednesday (20) in order to be back in N. Y. for the following night's Kate Smith broadcast.

## AFA SELECTS EIGHT TO RUN FOR COUNCIL

American Federation of Actors held annual council nomination at the Edison hotel, N. Y. April 8. Ralph Whitehead, prez.; Charles Mosconi, treasurer; John W. Tiebor, Jessie Noble, Peter J. Byrne, Joseph J. Brady, Jorgen M. Christiansen and William Donahue were nominated. Election comes off May 10.

Ballots have gone out to all paid-up members. Council comprises 32 people, eight of whom are electe every year for four-year periods. Those now holdi spots are Whitehead, Mosconi, iebor, Alan Corelli, Con Colleano, Pat Rooney, Duke Ellington and Gus Van.

AFA has enlisted the aid of the American Federation of Labor on the $250,000 libel action brought against it by the National Variety Artists. Judge Joseph Padway, attorney for the AFL, has been retained to battle for AFA.

# NEW ACTS

**ALLAN JONES**
**Singing**
**8 Mins.; One**
**State, N. Y.**

For his initial appearance in vaude, Allan Jones equipped himself with a natty blue doublebreasted suit and a well-fitting repertoire. Tenor's approach is marked by a plenty modest disposition, and his behavior remains that way throughout. Jones' voice packs lots of melodic flavor, which sells for him. He announces his own numbers, in an offhand way, while the pit combination accompanies.

Program he fed 'em at the State consisted of a medley from his Metro pictures, 'Corsi Corsa,' the Donkey Serenade from 'The Firefly' and 'Make Believe' from 'Showboat.' *Odec.*

**O'BRIEN and GOLDBERG**
**Comedy**
**6 Mins.**
**Stanley, Pittsburgh**

Name of team is a selling point in itself. However, lads deliver, too, in latest of Major Bowes units. In departed two-a-day, turn would be a perfec deucer on any bill. It's mostly gab, with boys stepping up individually to a mike to satirize commercial radio announcements, all of the chatter well written and well delivered. Laughs spill freely, reaching a high spot in Goldberg's burlesque of a prizefight broadcast, with O'Brien doing a hair-lip product spieler between rounds.

For a finish they break out into some okay hoofing, just to get off. Over big here. *Cohen.*

**CHARLES TRENET**
**Songs**
**15 Mins.**
**A. B. C., Paris.**

Tall, blond baritone has one of the best set of pipes heard here in some time. He is quite a fave in this country, and he probably won't find much trouble in other quarters. He writes most of his songs himself, putting new lyrics to other tunes for the rest. There are still things he can learn about showmanship, but he evidences enough to carry him a long way.

He has been making recordings here for Columbia for some time, and is headed for one of the big revues here, as he has both voice and looks. His own lyrics are catchy and clever. *Hugo.*

**ARTHUR DE VOSS (1)**
**Singing**
**14 Mins.; One**
**Strand, Brooklyn**

Youthful tenor with looks, height and a good voice. Has all appearances and pipes for success, but little stage ease or control of his vocal prowess. He's new to the rostrum, being a recent Juilliard graduate, but should acquire professional polish with practice. He's already promised radio network opportunities.

His preem actually took place about a month ago, when Teddy King, house maestro, gave him a one-song shot in between acts. Since then he has improved some in entrance, exit and stage finish, but not enough. Chords have also bettered. Radio, with its engineer's mike control, will undoubtedly improve.

Voice indicates that he is not crooner type. Hugging of mike and occasional blasting on all numbers don't help to a good impression, but De Voss is basically worthy. *Hurl.*

**PAULA STONE (1)**
**Singing, Dancing**
**14 Mins.; One**
**Strand, Brooklyn**

Fred Stone's daughter's solo vaude fling clicks in second rung spot. She's been in musical comedy mostly. Pretty little blonde's trouper background is plenty in evidence with assurance and grace. She's now plenty oke on her own with dancing and moderate novelty warbling.

Cute shape is shown to advantage in neat shorts, playsuit and full length stockings. Her taps and bucks bespeak a natural dancer. Does a quick stage change to party girl dress for novelty song 'My Mother Told Me.' Mildly naughty and strictly comic. Girl is a cute talker-warbler. Another change to military jacket and hat for drum-major stick waving and tapping to 'Toy Soldier' finales. Needs more care in musical timing but otherwise entertaining and cinch among male auditors on s.a. *Hurl.*

## Pitt's Harlem Casino Folds on Liquor Rap

Pittsburgh, April 12.

Harlem Casino, one of town's leading niteries, folded suddenly last week on eve of spot's citation before Pennsylvania State Liquor Control Board for alleged violations of booze license. Place was raided by agents month ago for selling alcohol after hours, but continued to operate until hearing, which was once postponed and then re-scheduled for next week.

No reason for action given by Lew Mercur, operator of Harlem Casino, who will nevertheless defend his right to continuation of license. Big money-maker all winter, biz there fell off in half after wide newspaper publicity on raid.

Dave's Blue Room on Broadway took a 10-day rap, being found guilty of selling after 4 a.m. Restaurant, a fave theatrical haunt, has permission to file for a new liquor license after 10 days, but that means another $600 license fee, providing it's granted. It's discretionary with the liquor control board.

## FERDE SIMON LEFT ESTATE OF $165,534

Jamaica, N. ., April 12.

Appraisal of the estate of Ferde M. Simon, head of the Simon agency, filed in the surrogate's court here, shows assets of $165,534. At the time of his death, Oct. 20, 1936, Simon was living at 124 Slocum Terrace, Forest Hills, L. I. Since then his wife, Esther J. Simon, and daughter, Geraldine, have moved to Mount Vernon, N. Y.

A sister, Edna Goldsmith, of Chicago, Ill., will receive $5,000, and of the remainder, the wife receives two-thirds and the daughter one-third.

## Saranac Lake

By Happy Benway

Harold (Warner Bros.) odner here ogling the spring cleaning of the Will Rogers. Lotsa new things that'll benefit the ozoner comi in.

Al ontague, ex-NVAite, whiffing a mess of ozone at the Onondaga Sanatorium, Syracuse. Girl needs that cheerful letter.

Ben Schaffer slapped back to bed as X-ray shows slight setback.

Mrs. Johnny DiGiovanni, frau of the Jerseyite, here ogling him. Boy set for a little up routine soon.

Arnold Farkas, Bronx theatre official, a newcomer at the Will Rogers.

Lillian Morgan, ex-NVAite, who left here years ago, back to the Northwood. Doing all right on the recure.

Walter Hoban, N. Y., of old-time Hoban and Kelly dance team, is a new arrival at the Rogers. Just tired.

James eehan, ., a newcomer at the Will Rogers.

Elizabeth Monahan (Will Rogers) goes home to Middletown, N. Y.

Thanking Joe (IATSE) McCarthy for the many new books sent to this column to be placed in different ozoners' hands.

Roy Nunley (Will Rogers) goodbyed this ozoning routine. He did the trick in less than a year. Nice work and you can do it.

**(Write to those you know in Saranac and elsewhere who are ill).**

## McHale's Hometowner

Providence, April 12.

Duke McHale, local dancer-singer, who made good on Broadway, opened Sunday (10) at the Stork Club in Norwood for a li ited engagement.

McHale was in Broadway's 'Babes in Arms,' legit musical, last season.

## Durante Offered Eastern Vaude, $5,000 Per Asked

Jimmy Durante, in New York from the Coast last week, offered vaudfilmers for personals. Curtis & Allen agency proffering the comic on a deal with his personal rep and former partner, Lou Clayton, now in Hollywood with the Bobby Crawford agency.

Asking $5,000 a week,

## MEXICO CITY IN NEED OF TOP NITERY TALENT

Ramon and Renita have signed to appear in Mexico at the Teatre Alameda beginning April 23, immediately after the conclusion of their current engagement at the Gran Casino Nacional, Havana.

With Mexico City increasely attracting the smart tourist element out of Florida and Havana towards the end of the winter season, Ramon sold the idea in Havana to Emilio Azcarraga, owner of the Alameda, who was visiting there recently.

The theatre man agreed that Mexico City is in need of talent for its many hotels, theatres and night clubs.

## Gene Raymond Slated For Chi P.A. with Pic

Gene Raymond has been booked by Harry Kalcheim, Par signer-upper, for the Chicago, Chicago, to play with his coming release, 'Stolen Heaven,' week of May 20. He may also play the Michigan, Detroit.

Kalcheim has also set several bands for the Paramount, N. Y., including a booking as far ahead as Labor Day week, when Eddy Duchin is scheduled. Following Tommy Dorsey, current at the N. Y. Par, Kay Kyser comes in. Others set are Hal Kemp, Sammy Kaye and Jimmy Dorsey.

## Seek Philly Nitery

Philadelphia, April 12.

Undisclosed syndicate of Philadelphia biz men understood dickering for hoity Colony Club here.

Spot's now owned by Louis Grabosky, coiny cigar manufacturer, and managed by Adolph Marks and Morris Oxman.

## Hartford Theatre's Airer

Hartford, April 12.

State theatre here planning one vaude show a week to be broadcast from its stage over the Connecticut Broadcasting System, through WNBC, New Britain.

Friday nights at 9:30 set.

### FRITZI SCHEFF BETTER

Providence, April 12.

Fritzi Scheff expects to return to New York Friday or Saturday. She was discharged from Homeopathic Hospital Friday (8) and is staying at the Biltmore Hotel for a few days.

Left Hammerstein Music Hall of the Air stage unit on March 26 for an emergency appendectomy.

## WARDROBE UNIT IN ORG. DRIVE

Theatrical Wardrobe and Costume Attendants Union, Local 16770, N.Y., will meet April 17 to set up a committee to organize hotels, niteries and private maids to femme performers. Latter, particularly prevalent in legit and star-employin cabarets, are recent inclusions. Union already has the promise of Ralph Whitehead, prez of the American Federation of Actors, for cooperation. Latter recently organized nitery performers.

Hotels with floor shows have employed members of the union from time to time, but now union wants a permaent agreement. New Yorker hotel will be the first to be dickered with, being most consistently active with floor shows. Paradise restaurant also expected to join the ranks, which includes the Manana and International Casino, when it reaches a paying basis. With recently granted jurisdiction of nitery choruses given AFA along with principals, wardrobers see a strong ally in the actor group.

National union comprises about 600 members, split among 20 chapters in key cities. Scale is $5 daily for sewing and $1 per hour for other attentions. Figures will be elastic for niteries, union wanting to make special deals with less affluent spots. Sliding scales will be instituted to effect niteries rated in B and C classifications.

Bell's
Hawaiian
Follies

Apr. 15-16—Plaza, Great Bend, Kan.
Apr. 17-18—Sherman, Goodland, Kan.
Apr. 19-20—State, Garden City, Kan.

LEE DONN
Dressed by
SIDNEY FISHER
75/77, Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

ALWAYS WORKING
AL. ROBERTS
April 7—Carolina Th., Florence, S.C.
" 8-9—Gloria T., Charleston, S.C.
" 11-12—Bijou T., Knoxville, Tenn.
" 13-14—Bijou T., Chattanooga, Tenn.

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WILLIAM MORRIS AGENCY, Inc.
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FOR ITS COOPERATION IN BOOKING

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BOOKING MANAGER

## BURLEY'S BIG BRIGHT SPOT IS MPLS.

inneapolis, ril 12.

inneapolis apparently is different in its amusement tastes. Burlesque, having such tough sledding everywhere else, is the only form of entertainment consistently rospering her .

While Mae West, in person, slipped to $19,000 at the Orpheum last week, and while all other theatres have been crying during the worst of the pre-Holy Week period, Harry Hirsch's stock burlesque at the out-of-the-way Gayety has been garnering nifty profits, not having had a losing week since it reopened a month ago for its annual spring season.

Initial week's gross was $5,200. ouse did $4,400 second week and, with Mae West as opposition, grabbed off $5,400 the seven days before Holy Week, out-distancing most of the de luxe film houses. Gayety nut runs around $3,500, with such guesters as Ada Leonard (in for two weeks at $7 ), Hinda Wausau and Mary Sunle, the last named being current.

House is scaled at 99c top, two shows a day, excepting an extra midnight performance Saturday, and all seats reserved. There are no fil

## Rural Chi Sees Boom Summer Biz in Cafes; Budgets Hike, Airers

icago, April 12.

icago area is looking forward to a busy summer season for roadhouse and suburban niteries this year, with activity notic already. Plans are being made by several operators for a general summer spree, and the open air spots are figuring on more and higher priced talent than has been the custom with these country niteries.

Leading the field in plans for a whirlwind summer is the Bon Air, which is now negotiating for a brace of name orchestras, namely Vincent Lopez and Ted Lewis, to split the summer. Also talking of name acts and setting up a budget considerably higher than usual for the country dine-and-dance spots.

Ray Pearl's orchestra, which clicked locally at the Blackhawk, while filling in for Kay Kyser's band, is tentatively set for the Villa Moderne, opening May 31.

These and other open air places are basing their plans on a 40-day season, figuring on considerable good weather.

Outlying spots figuring on placing radio lines for the summer, and on the basis of ether plugging, expect considerable biz increase, since the hotel nite rooms in Chicago have no wire outlets because of their refusal to pay $100 weekly service fee to stations.

Country niteries feel that since they operate on a 10-week basis only, they can get out more than the $1,000 it will cost them for that ether buildup, especially if they can come through with top orchestras.

## Abe Lyman Band Unit's 8-Week Tour at $7,500

Walter Dare Wahl, ick Long, Jr., Dorothy Vardon and the Eight Virginians will be in Abe Lyman's unit when he opens an eight weeks' tour at the Earle, Philadelphia, May 6. Lyman's getting $7,500, booked through Music Corp. of America.

Succeeding him at Casa Manana, N. Y. nitery, will be Vincent Lopez's orchestra. A new show at the Casa (summer edition) comes in June 1.

## 21 Snowbound in Cafe

Oklahoma ity, April 12.

Twenty-one persons were snowbound at Abe Hale's nitery during the recent all-night snowstorm, including seven members of Roland Chastain's orchestra, seven patrons, two waitresses, two taxi-drivers, the manager and three Negro employees. Nitery was without electricity during the entire period.

Group spent the time telling stories and dancing until escued by state highway patrolmen.

## • 15 YEARS AGO •

rom VARIETY and Clipper)

Hugo Riesenfeld and the Rivoli orchestra the tops at the Palace. Billed as the Rivoli-Rialto orchestra and intended as a plug for the two picture houses. Made a sensational success with a band of 55, and different from the jazz orchs.

Trixie Friganza at the N. Y. Palace illed as 'America's biggest comedienne.'

Most Keith houses had an All-Nationality week. Some foreign acts helped to give the twist, but the natives won out.

Another of those dreams was a plan for Famous Players, Loew's and Keith's to combine in a booking agency for film house attractions. To avoid standard acts and develop novelti

Shortage of actors for pictures and good ones playi in as many s three productions at once.

ire department declared war on film exchanges in the theatre district. Difficult to prevent smoking in the theatre center was the chief kick.

resentations as preludes to pics getting so important VARIETY opened a special department to report them. No de luxe house could do without them.

With 28 acts promised for e benefit for the American Theatrical hospi l, Chicago, only nine showed up. Five other acts came in to help out, so they had a show.

Fannie Brice in her second week at the Chi Palace, and doing nicely, though she made nly two minor changes in her act.

Specs were working the Shuberts, who were giving out two-for-ones for laggard shows. ı'd dig tickets after the hotels returned their buy, and sell at full price. Had to work fast, but it was worth while.

Paul Whiteman, who had been banned by the British musicians from playing in cabarets, got a job in Grafton Galleries when the U. S. Consulate intervened.

Izzy Herk and Thomas Beatty, who handled Shubert units, in bankruptcy for $1,305,577. Assets about $900.

Dan Hennessy and John Burke replaced in Keith's family department, but retained their salaries. Both had life jobs.

Ringlings, Muggivan and Robinson shows in a three- tiered billing fight in Ohio. Ringlings putting up 'coming soon' paper wherever the others were dated.

Chorus girls staged a benefit for one of their number who had tuberculosis. Made $4,000 without male help.

## SEXERS VICE BURLEY AT CASINO, PTSBG.

ittsburgh, April 12.

Stock burlesque folded Saturday night (9) at George Jaffe's Casino after disastrous two weeks and house is being turned over to sex pictures on a grind policy. First, 'Sex Madness,' got under way yesterday and is being shown 'for men only,' with accompanying lecture by a physician.

Next week it'll be 'for women only,' with Jaffe planning to operate regularly for unmixed audience. Hopes to keep going this way all summer and if stunt clicks, burleycue may have seen its last around here. Past season was way off, with only a few wi ing weeks early in the fall.

## Nitery Placements

Rose Blanc, Famous

Bernie Grauer, Bill's ties, N. Y.

Marcelle Wellington, Garbo, N. Y.

Eve Symington, Paul Haakon, Nina Whitney, Hotel aldorf-Astoria, N. Y.

Vincent ragale's orch, International Casino, N. Y.

Wynne Ralph, Le Mirage,

## Mauches' Tour with Pic

Hollywood, April 12.

Bobby and Billy Mauch will train eastward this week for a personal appearance tour in conjunction with Warners 'Penrod's Double Trouble.' Moppets will open in Peoria, from where they jump to Chicago, followed by other spots that will keep them going until they hit New York in June.

Pair will do a sketch authored by Vivian Crosby.

## Kelly, UEA Chief, Seeks Law Ease On Philly's Cafes

Philadelphia, April 12.

Tom Kelly, biz agent of United Entertainers Assn., local nitery talent union, who was principally responsible for getting Pensylvania Department of Labor and Industry to crack down on operators who demand mixing by gals, now confabbing with agents of the department ith view to lightening the penalties.

t Kelly's insistence, State officers have been threatening rough treatment of the mixing-demanders. They first get a warning and on second offense are cited for license revocation hearing. Certificate may be lifted for a year.

Kelly feels that shutting the place down entirely in this way will only serve to throw talent and other help out of jobs. He wants to substitute a suspension system, similar to that used by the Liquor Control oard for violations of booze laws. Licenses under this method are suspended for stipulated periods. Proprietor, instead of shutting down during that period, however, may keep open by paying $10 a day. This is in li u of the Board's legal inability to levy a straight fine.

## PARTIAL WHEEL IDEA FOR NEW TRIBORO, N.Y.

Originally intended for stock shows, the new Triboro, urley stand opening Saturday (16) in New York, will have a working agreement with Izzy Hirst for an exchange of strip and comic names.

Idea of Harry Palmer and Ed Rowland, who are operating the Triboro, in hooking up with Hirst, is to eliminate the possibility of stagnant shows alienating whatever steady patronage can be uilt up for the new spot.

## Pitt's Colored Floor Show as Stage Unit

Pittsburgh, April 12.

Sepia floor show at defunct Harlem Casino, with Larry Steele producing and serving as m.c., being whipped into stage unit form and will be booked through the tristate territory for series of one-niters and split-weeks by Joe Hiller office. Will include most of talent in revue when spot folded last week, with Jimmy Wadkins' swing band also sticking.

Steel's been producer and m.c. of Harlem Casino shows for two seasons now

### Boston Burley Folds

oston, April 12.

Columbia theatre, stock burley, closed Saturday (9) after 26 weeks of flesh for straight pictures. Prices sliced from 25-35c. to 15-25c.

Police cleanup of flesh shows had no effect on change of mind, Max Michaels, manager of the hous id.

### JACK KALCHEIM TO R-O'K

Chicago, April 12.

Jack Kalcheim has gone with the local Rockwell-O'Keefe office. He will handle theatre bookings.

Kalcheim had been an agent here on his own for years.

## Hirst Circuit

### Week of April 17

'Rambling Revels'—Lyri , Allentown, Mon.-Tues.; Orpheum, Reading, Wed.

'Modes and Models'—Howard, Boston.

'Looks and Laffs'—Hudson, Union City.

'Pirates of Melody'—Gayety, Washington.

## Minor and Root's Inside Stuff On Rio; Good Market for U.S. Acts in S.A.

Rio de Janeiro, March 25.

Editor, VARIETY:

Let me tell you what kind of a reception acts receive here. The Urca Casino has its own plane, which was sent to meet our ship. The pilot circled the ship advertising 'Minor & Root and the Tip Top Girls, Urca Casino. We were booked by Max Kosari , of New Yor whose father, Harry Kosarin, has had orchestras in South America for 25 years. Latter, too, came out on the customs tug with photographers from th local papers.

The Urca Casino is a modern, ir-conditioned night club, similar to Chez Paree, Chicago, with a large gambling Casino. Two 14-piece orchestras alternate, playing on a well-equipped stage. The band wagon moves back for the show and a scrim drop descends each time the bands change so one is not aware of the musicians changing places. One band is Romeo Silva, a South American combination, which plays American music and rather well. The other is the Urca house band, which plays the show and mostly zambas. The zamba is similar to the old Brazilian maxixe( no longer done) and is n to be confused with the Cuban rhumba, as the rhythm is quite different. It is generally played by two drummers and is quite syncopated with the predominating beats like the i tation of a train.

The show consists of & Root, the Tip Top Girls (four girl acrobatic act) and Phyllis Cameron, singer, all in for eight weeks. Also on the bill are Tip, Tap and Toe, colored act held over from the last show and still a sensational hit. In May, the show from the Bal Tabarin, Paris, is due The Urca ordered rising glass dance floor, a combination of the International Casino and Casa Manana, at a cost of $20,000. They are starting to rebuild next week and will remain open, transferring the show to another room temporarily. The new room will include air-conditioned dressing rooms for the artists. Couvert is 20 milreis ($1), dinner is the same price, also for full course, French cuisi . Obviously they lose on every dinner so they must make it up on the gambling. Drinks are 10 milreis (50c). Imported champagne, vintage, about $6. Living is very cheap. Acts are pai in American money. Most of the acts hav apartments at the O. K. Annex, a swanky modern apartment house on the sea in the Copacabana section, four miles out of Ri . The apartments consist of living room with terrace, kitchen and dining alcove, with maid's toilet and shower, bedroom and bath. Rent per month, $40. A good meal is 50c in the best restaurants. A maid who comes every day, $3 per month; plus washing and cooking, $6 per month.

### Swank Spot

The Copacabana Hotel is undoubtedly the swank spot. Henry Herrman Agency of New York has been booking this spot. The present show, booked by MCA, is very good but business is off and Herrman resumes the booking at the expiration of these eight weeks. With the exception of Saturday and Sunday there are but four or five parties per night at the Copacabana while the Urca is filled every night and turnaway business Saturday and Sunday.

The show at Copacabana hotel consists of Lauro Soares, Brazilian society singer, wife of an American MGM executive Brazil. She plays the guitar and sings, is beautiful and very good. Native Americans can't understand why anybody who doesn't have to work does. The American acts are headed by the D'Ivons, dance team; Miriam Verne, tap and acrobatic dancer, and Aurelia Colomo, Mexican singer. Copacabana expects better business next month when the wealthy patrons return from the mountains an is also building a new room that is supposed to be the best in South erica. The orchestra at the Copa is rated the best io named Bountman, a house orchestra. Gambling casino here also. Muriel Abbott Dancers come in in May.

The Atlantico Casino, formerly rated No. 1, has dropped to secon place in the race of these two top spots. Band is Louis Coll, and good, formerly of Deauville, France, and other top spots in Europe. Leo Marjene, good looking girl singer of French and American songs, has been held over four months at Casina Atlantico and a big hi . At resent they have mediocre French acts with the exception of Anita Del io, Argentine dancer, recently returned from the States, and booked here by Harry Kosarin. Good-looking modern room but no business except Saturday and Sunday, same as Copa, and then only if cruise ship is i . Last Saturday Copa had eight people.

### Cruise Ships

In the past year the cruise s ips have been coming down. Recently the Normandie arrived with a show headed by Sylvia Froos, which played the Urca while i Froos clicked so big th rca offered her $750 per week to return, which she turned down. The Rex was in port with a show including Jolly Coburn's Band, Towne and Knott, Norma Gallo, Imogene Carpenter and other acts which appeared one night at the Atlantico to good success. Just now the Urca has a show from the Rotterdam booked by Nat Abrams of WOR, New York. These acts are in for four days to augment the regular show and include Bernice Ackerman, Woods iller (singers), Patricia & Renee, dance team.

These shows were sold on the theory that the passengers from the ships would patronize the casinos. With the opening of the season and regular set shows, the casinos have decided that it is not good policy as the passengers have already seen these shows several times an it is better to give them something new.

The management of the casinos is being flooded with letters from New York agencies offering acts, each clai ing to be the largest agency and almost all panning all the other agents and acts. This seems to be bad policy. Most of the letters are turned over to the established agents for their advice as they have confidence in those they have done business with. Then again, like Europe, they do not care much what the New York managers think of acts. Some acts that are scarcely known in the States come here, and click big, while others, highly touted, flop. For that reason, and the fact that ethics count more in these countries, as abroad, than they do in America, the established agent has the better chance here, or the European agency that understands the Latin temperament.

Americans are well liked here and most of the American acts are well received. Boasting is the worst sin American travellers abroad have to cope with. The Latins and Europeans think we all do it and it takes some time to overcome that handicap. What passes under the generous title of 'high pressure salesmanship' in America is considered downright vulgarity in other countries.

This is a long rambling letter and perhaps you already know all this but it's all quite a revelation. Believe there is a good future and a new field for American acts down here if it is handled right. They pay passage both ways; we do tw shows per night, at 11 and 1; Rio is unbelievably beautiful, and they kill us with kindness. Acts are allowed to send only $20 per week out of the country unless they have a good reason to send more, when the government will grant special permission to send more. They can, however, take as much as they like when leaving. Do not see how one could possibly spend more than $50 per week without gambling it away.

Eddie Root.
(Minor & Root.)

## Toledo's Stock Debuts 16th

Most of the members of the unit which toured with ex-pug Mickey Walker over the Hirst circuit have gone to Toledo to reopen the Capitol theatre there as a stock hurley stand. Spot is an Izzy Hirst house, formerly playing his wheel shows, but has been shuttered lately.

Reported Hirst is backing the stock venture which will debut April 16.

### ROXANNE'S AGENCY

Roxanne, former femme orch tra leader, has opened a tal agency in New York.

Bandmistress hasn't been pro sionally active in some time. Gam injury temporarily retired her last year.

## MUSIC HALL, N. Y.

*Richard Leibert, Elsie MacFarlane, Grace Panvini, Marian Palmer, Ivy Dale, Hudson Carmody, Novello Bros., Chrysis de la Grange, Rockettes, Ballet Corps, M. H. Symp with Erno Rapee conductor; 'Adventures of Marco Polo' (UA), reviewed in* VARIETY *Feb. 16.*

There's a lot of show here this week, the stage being given over to what virtually amounts to two units. 'Glory of Easter' is one of the theatre's most impressive productions, while the other portion, 'Mickey's Circus,' is unique and amusing, built around Walt Disney's cartoon characters.

Rubenstein's 'Kamenoi-Ostrow' is employed for this year's Easter spectacle, with Elsie MacFarlane, aided by others, giving it fitting vocal expression. The sides of the theatre and the stage apron are appropriately decorated with huge candles and other dress properties. Girls and others parade effectively, some lining the sides of the theatre to give sweep to the spectacle. Stage is set as a church altar, the whole picture being one of beauty.

'Mickey's Circus' follows the Silly Symphony cartoon, with latter placing audience in a highly favorable mood for what follows. Prolog features Grace Panvini, Marian Palmer and Ivy Dale as the three little pigs, while Hudson Carmody is the big, bad wolf. Special music for the prolog is by Maurice Baron and Albert Stillman.

Going to full the stage is set as the interior of a big top, with Mickey Mouse as ringmaster. Clever all the way and very different. Even the ballet girls this week are comical. They do a very funny novelty dance in costumes that are half Minnie Mouse and half ostrich. Some unusually unique results are obtained with the ostrich necks and tails.

The Rockettes are effective as Donald Ducks, although the ballet girls seem funnier. Punch is delivered by the Novello Bros., as Ronald Rooster and Clara Cluck, in a flirtation sequence, while another sockful performance is delivered by Chrysis de la Grange, web worker of excellence. French gal just closed at the International Casino. For a finish the stage is steamed by a curtain of moisture, which clouds the stage.

Leon Leonidoff did a good staging job. Symphony orchestra, Erno Rapee conducting, plays no overture, merely the show. Richard Leibert is at the console. *Char.*

## STATE-LAKE, CHI

*Chicago, April 10.*

*Three Harvards, Joyce Bros. (2), and Dean, Paul Mall, Lela Moore, Fenwick and Cook, Sweethearts, Verne Buck's Orch.; 'King of Newsboys' (Rep).*

It's strictly a Holy Week show, with the budget clipped to the core. But nevertheless there's plenty of entertainment on the quick bill. The Three Harvards open with a fast Indian club juggling act, sauced up with neat comedy. Joyce Bros. and Dean, two men and girl hoofers, make up in exuberance what they lack in ability. Get best results from Russian knee-drops in swing style. Youthful, and work hard.

Paul Mall doing a whiteface single now, but still the same old-style of vocalizing, topped off with the special lyrics of a guy who gets mixed up with a married gal. Comedy chatter falls short.

The Sweethearts chorus clicks with a rhythm number, followed by Lela Moore and her trick man-and-woman dance routine with split femme-male costume. Good stunt and fits nicely here. Final act is Fenwick and Cook, who do comedy hand-to-hand work, a quick shot of unicycling and finish with Swiss slap dance. Overdo comedy mugging but kids in house liked it.

Business good first show Saturday (9). *Gold.*

## STANLEY, PITT

*Pittsburgh, April 10.*

*Dick Ware, Wallace Bros. (2), O'Brien & Goldberg, Estelle Madlon, Sally Swing, Jackie Cooper, Dave Broudy's house orch; 'Over the Wall' (WB).*

Looks like WB deluxer has put its best foot forward for Holy Week. Smart b.o. setup should pay dividends, too. Opening day overflow. This is the upteenth Bowes' show house is playing, every one of them a click, but Stanley had added insurance in Jackie Cooper, boy film star.

Young Cooper is gravy for the customers. Originally penciled in here couple of months ago, he was called back to the Coast for 'White Banners,' and this was only week he had available to fill his postponed contract. Management had intended to stand alone on Bowes for flesh.

Unit's run off first, with Cooper doing his bit at the finish of the non-pro entertainment. An engaging youngster, with much of the appeal that made him so unforgettable in his films, he disguises his adolescence fairly well with a nice, casual assurance. Does a brief scene from 'The Champ.' for windup. In between, he turns in a spasm on the trap drums and hoofs a bit, all in all, presentable.

Bowes unit is m.c.'d by Dick Ware, well-known in Pittsburgh, where he once did nitery work for several years. He's impressive and confines himself to straight announcements, occasionally crossfiring with the acts. Talent is of a higher order than usual, possibly because Bowes may not have confined himself to broadcast specialists. Too many of them look like they've had considerable experience on the outside, but Bowes no longer carries the 'amateur' billing so there can't be any complaints.

Show opens briskly with fast session of footwork by Wallace Bros., couple of sepia lads, and spins through the usual array of singers, mimics, novelties, etc., with, however, considerable emphasis on comedy, something Bowes shows here have lacked in past. Laughs are chiefly gathered by radio commercial horse-play of O'Brien and Goldberg (New Acts) and Fisher and White, two men highlighting some good ventro hoke.

Tops among the remaining turns are Estelle Madlon, attractive, with a fine voice of operatic calibre, who goes to town on 'Bell Song' from 'Lakme'; Sally Swing, a slick hoofer who should dig up a more becoming costume, and Bert and Betty, youngsters, doing a drumstick routine.

As usual there's an unbilled turn, announced as a request from the management. It's an act on the Bowes broadcast the night before show's opening here, being a talented young accordionist. Dave Broudy's house orchestra is on the stage, with Broudy just one of the boys, unit carrying its own leader. *Cohen.*

## PALACE, CLEVE.

*Cleveland, April 10.*

*Ted Mack's Orch, Six Intercollegiate Shag Dancers, Paul Winchell, Flying Top-Hatters, Dianne Gunner, Joe Higgins and Roy Davis, Bobby and Dotty Edwards, Clive Allen, Leon Murray, Steamboat Trio; 'Start Cheerin'' (Col).*

This Major Bowes unit is slicker than some of the earlier editions that have been here. It hits the groove, with first day biz above average. Addition of two new acts makes time run overboard, causing some draggy moments. Off-note is Steamboat Trio, composed of middle-aged Cleveland sailors who won the April 7 broadcast. They strike up barbershop harmony with more volume than anything else. However, their local reps tide the act over.

Leon Murray is another last-minute add, whose tenor pipes are more clear and good enough to rate an encore. Paul Winchell and his dummy-stooge, Terry, warm up the show. More original wheezes needed, but voice-throwing is smooth, with Bill solidly sold by the act. Six Shag Dancers, in an exhilarating, smart campus routine, show little that's amateurish and get over big.

Ted Mack, who opens with femme orchestra, a good m.c. Patter is brisk, building up with neat gags and minus any distracting plugs. Top-Hatters show professionalism in fast roller-skating turn. Dianne Gunner throws a torchy voice with fervor, although she could do something newer than 'Bel Mir.'

Young Jackie Fields is good on the harmonica. Two radio impersonators, Joe Higgins and Roy Davis, muff their Lionel Barrymore bit, but mimicry on F.D.R. and Bing Crosby socks. Bobby and Dotty Edwards more than hold up their end as tappers. *Pullen.*

## LYRIC, INDPLS.

*Indianapolis, April 10.*

*Walter Walters, Roy Cummings & Co., Sondra Miller, Flagg & Arnold, Florence Baird, Winston & Lollette, Dave Seed & Co., American Beauties (12), Diplomats of Rhythm (12), Dorothy Dae; 'Over the Wall' (WB).*

Femininity rules the boards this week with the misnamed American Beauties (12) pony chorus, in four spots and Diplomats of Rhythm, 12-piece girl orchestra, led by Dorothy Dae, on stage throughout. Girl orchestra is okay, holding down a spot of its own midway in which members go into a jam session. Miss Dae waves the stick and gets in the way, but satisfies on her single vocal.

Walter Walters, ventro, headlines with his dummy. Baby imitation for encore. Roy Cummings is assisted by one of the line girls for patter, but gets most of his laughs out of hoke antics in climbing a special curtain. Winston and Lollette, ballroom tappers, appear in two spots, near opening and close, with some acceptable precision stepping. Dave Seed and Co. fail to click as Seed's comedy antics with oversize suit and monkey imitation need more than the assistance provided by his man—and woman straights who aid in some blue patter.

Sondra Miller, pleasing contralto, gets over with 'Siboney,' 'Once in Awhile' and 'One Rose.' Flagg and Arnold go well in some slow acrobatic work.

Show runs 60 minutes and despite low spots, is still better than house has provided last several weeks. Biz lightweight at last show Friday (8).

## STATE, N. Y.

*Ruby Zwerling's orch, Five Elgins, George Prentice, Frank Libuse, Allan Jones, Don Lee & Louise; 'Adventures of Tom Sawyer' (UA).*

Potential kid trade gets ample attention from the bookers of this bill. In addition to a Punch and Judy routine, there's the rough-housing and pantomimics of Frank Libuse. Comedy is kept further within adolescent limits by the complete exclusion of any crossfire dialog, even though the show is framed along conventional vaude lines. Strong recognition is likewise extended the femmes by having Allan Jones, Metro vocal player, top the setup.

Five Elgins lend punch and class to the breakaway with their mixture of strawhat and Indian club tossing. It's all carried off with keen showmanship. George Prentice makes a consistently diverting interlude of the Punch and Judy show. Everything, including the midget slapstick, is kept moving at a fast and noisy clip.

Libuse's turn is packed with the same old hoke. He's still tearing leaves out of the telephone book, clowning plenty around the piano and with the pit men in addition to rounding out the shenanigan ramble with the arms exchange bit that must wear hard on the stooge with the coloratura soprano. Act, when caught, had the customers laughing almost constantly.

Allan Jones (New Acts) backs up a thundering but clear tenor with an excessively modest manner. Jones went from legit into pictures and his date at the State represents his first p.a. since Broadway. He opens with a medley from his films and does three others, everyone registering big. He mumbles in announcing each of his numbers but even that proves all right with the fans. When caught Jones begged off, explaining that four shows are tough on the throat. His entry drew plenty ah's from the dames and the plaudits were thunderous throughout.

Don Lee and Louise sub for the Alexander and Santos Revue and make it a lively, colorful 10 minutes. Pair shows lots of suavity and rhythm in each of their ballroom routines and are nicely supported by their blonde vocalist. It's a good closer.

## HIPP, BALTO

*Baltimore, April 10.*

*Troy & Lynne, Sylvia & Clemence, Four Martins, Terry Howard & Jack Tally, Irving Steele & Rollo; 'Lone Wolf in Paris' (Col).*

Show, running 60 minutes, is top-heavy on production and in dire need of skillful routining. Individual acts have what it takes, but full advantage of their capabilities is fritted away among lengthy and unimportant line numbers.

Rather flat opening of line, attired in what appeared to be 'rehearsal togs, and in 'sitdown strike.' Places a damper on Troy and Lynne, personable boy and girl dance team, which needs three numbers to catch hold. Last, a shag, nicely done and well received. More hoofery by line next, bringing on Sylvia and Clemence, two girls attired in bellhop outfits, who work hard in a punchy comedy buck and knockabout.

Line then back for more dancing, a high kick in picture hats and lacy gowns, off the cob. Four Martins adagio is sock despite the deadening stuff preceding. Much needed comedy follows with Terry Howard, in clever moppet characterization, fed by Jack Talley. Miss Howard, previously caught here with Jack Pepper, does some okay gagging and a closing song and dance. A decided lift, though lost in the old time drill and formations by the line in Scotch outfits, which follows.

Irving, Steele and Rollo, with fast moving clowning, singing and dancing, work hard and sell pleasingly. Finale, a parade with Mex background, colorful but rather slow. *Burm.*

## Embassy Newsreel, N. Y.

War again receives bulk of attention here. Sino-Japanese conflict is missing, presumably because fighting in the open country fails to provide spectacular or gripping scenes such as those from earlier battles in the large cities.

Editorial staff at this house wisely has spotted the Spanish front to lead off because of repeated Franco victories reported in the drive on Barcelona. Ease with which the rebels have rallied against the communist troops in Barcelona is stressed in the Lowell Thomas commentatory for Fox Movietone, which obtains a fine camera view of artillery firing into the valley, soldier movements, results of bombing and capture of a town. All doubtlessly taken several weeks ago, but made timely through narration.

War fever in France treated by RKO-Pathe, armament preparations being shown. Fox has Tokyo's reception to an Italian delegation, which gets boos. England's gas drills touched by Pathe. Realistic air raid drill in Prague is nicely done by Fox, which also grabs a good pictorial series of aerial views on the 19th Army bombing squadron in California. Same reel gets plenty of noise at Egyptian artillery practice.

Army Day in Washington, marching troops, tanks and high officials passing President Roosevelt, receive dignified treatment by Paramount as Bill Slater deftly comments. Par also has the newsreel appeal of Peter David Levine' father for help in locating his kidnaped son, missing since Feb. 24. Besides a moving story of the kidnaping highlights, the newsreel staff gives an excellent camera view of the missing child via 16-millimeter home films that were blown up to standard 35 mm. Superb treatment.

Spring in England, with a clever British narrator again supplying droll poetry, is stacked up against Graham McNamee's rhymed description of N. Y.'s April snowstorm. Both Universal, and witty.

Proposed $100,000 match race between Seabiscuit and War Admiral supplies 'News of Day' the chance to show the prize winners in their recent race contests. Good arrangement of library material. Lew Lehr, in twice for laugh tries, does best with cracks about a dentist making false teeth for a canine. Ed Thorgersen, for Fox, comments on possible comeback of Helen Wills Moody, with series of slow-motion action clips.

Live news includes Paramount's views on horses being rescued from second story of stable, gutted by flames in lower Manhattan, day after blaze; Universal's scenes after fatal grain elevator blast in New Orleans; crackup of fast racing plane on Coast and rescue of pilot from blazing ship (U), feeding starving animals in Los Angeles zoo (Metro), daring climb to ice pack at bottom of Yosemite falls (Pathe), interesting views of new London subway (Par) and Nutley, N. J., racing midget auto's accident (Pathe).

Pathe takes in New York indie theatre owners' dinner, at which 'Snow White,' Adriana Casalatti, is handed an award, with Eddie Cantor, Bill Robinson and Milton Berle principally before the camera. Metro's 'News of Day' depicts Westmore, Metro makeup expert, fitting a toupee and trim moustache on a homoly male. *Wear.*

## A.B.C., PARIS

*Paris, April 1.*

*Sophie Noel, Lys Gauty, Parisys Berry Bros., Charles Trenet, Alina de Silva & Rafael Medina, Harris Twins & Loretta, Gabriello, Maddalena, Eddie Gordon, Romeo Carles, Lionel Cazaux's house orch, Mlle. Lilo.*

If this is exemplary of the programs which Mitty Goldin intends to offer during his return to straight variety, he will have little to worry about. At present he is the only operator in town offering straight vaude. Mixing some well known French acts with American ones, it's a good show for this town. Lys Gauty, well known cafe singer, tops the bill and garners heavy.

Opener is Sophie Noel, sweet-voiced soprano, who fares well. She knows how to sell herself and loses no time in doing it. First of the Americans to appear, Eddie Gordon clicks with trick cycling. Reminiscent of Joe Jackson, his tramp clothes, foolish grin and good riding would catch anywhere.

Gabriello, oldtimer in the local houses, garners well with the usual stories and songs. He never gets a belly laugh but he keeps them satisfied. Maddalena is almost a variety show in himself. He opens with a musical saw, follows with sax and trumpet imitations, does a good impersonation of Stan Laurel and then taps on stairs. None of his stuff is very good but there is enough variety to make him catch okay.

Alina de Silva and Rafael Medina are Spanish type singers, who have only recently teamed. Both used to work single. Medina has the better voice and is plenty good on his guitar. They draw well enough. Romeo Carles grabs himself a neat share of hand-slapping with songs and a good line of gab. Voice far too nasal but his original words are all that count.

Harris Twins and Loretta, who do two turns, finish out fast, good acrobatic dancing. Twins open, giving way to a solo dance by Loretta, then they work alone again with Loretta joining them for a bangup finish. Pull solidly. Also return later in show.

Parisys, femme singer, who winds up first division, doesn't do too well until she hits the lewd stuff and then she's a winner. Her coquettish attempts slide but when she goes all the way bad they love it.

Charles Trenet, baritone, opens the second half to click best in the show. His voice is somewhat like Maurice Chevalier's but there is little danger that he will be accused of copying France's number one antimator. Trenet is young, not as smooth as Chevalier and could spar a few rounds with Bob Taylor when it comes to looks. He writes all of his songs. Got his start when he wrote 'Y a de la Joie' (There Is Joy') for Chevalier. Show caught they wouldn't let him off until he sang it.

Fast-moving Berry Bros. catch the audience off guard. Step through their routine so fast the French can't catch up with them until they are halfway through. Act isn't the kind that people here go for in a big way.

## ROXY, N. Y.

*Walter 'Dare' Wahl, William Hall, Sylvia Manon Co. (4), Gae Foster Girls (32), Paul Ash's house orch; 'In Old Chicago' (20th).*

It's but a 37-min. bill here this week, three standard vaude turns for body and the Foster line for dress. Thirty-two girls this week, usually it's 24.

Presentation 'Today's Idea of Yesterday,' ties it with the picture's historical theme. Also gives Fanchon & Marco an opportunity to drape the stage with picture numbers, having lassies liveried in plenty of fluff and satin.

Opening finds the Fosterompers doing a precision tap. Half are formaled as men and motif is a gaudy 'Easter Parade' of yesteryear. Sprightly number gets the show off well.

Walter 'Dare' Wahl's travestied acrobatics of the hand-to-hand equilibristic sort is the best turn he's ever trouped. Solid at performance sighted.

William Hall, pop baritone, holds them nicely, being swell on appearance and able on singing. During his 'Thanks for Memory' at show caught, boothmen crossed him up with bad lighting. Clicks with 'Rosalie.' Might as well swap in 'Chloe,' which has been baritoned to death.

Sylvia Manon has her three adagio tosser-catchers, Ray Borden, Bill Decker and Jack Yarborough, back in those lacquered wigs again, but the 17th century dress coats are out. Still a peak act anywhere.

Finale has the Foster femmes dolled up aplenty and posed around a pip of a grand staircase in a corking tableau. As the music went up and out, the screen is dropped with deft timing and the fade-in of the film is neat.

Biz big opening (Friday) night, even in the mezz, where smoking is now banned. *Bert.*

## STRAND, B'KLYN

*Four Robeys, Paula Stone, Arthur De Voss, Clyde Hager, Billy Wells & 4 Fays, Teddy King's House Orch; 'When G-Men Step In' (Col).*

Strand has hit a no-name week but makes up for it with plenty of show. Biz good opening night despite rain. Still putting too much load on stage fare, however, with lightweight screen.

Bill of five acts includes two new turns, Arthur De Voss (New Acts), and Paula Stone (New Acts).

Four Robeys, three men and a girl, open bill with their acros and get over. Miss Stone, daughter of Fred Stone, seconds well with her comedy. Followed by Teddy King's house band, which gets few chances for solos due to lengthy bills. However, it takes advantage of opportunity with King's fave 'Musical History' swinging. Maestro's singing and panfos click, too.

De Voss, a singer, holds up his end in the trey, followed by Garner, Wolfe and Hakins, amusing trio, though they still put too much emphasis on takeoff of Three Stooges of films. Plenty hokey and slapsticky with their cuffing, slightly blue gesturing, etc. Girl formerly with them has been dropped.

Clyde Hager's pitchman monolog still good and a winner here. Using a stooge now whom he smears with soap for added laughs. Good showmanship. Material brought up to date but basically the same as formerly.

Billy Wells and the Four Fays close ala flash. Acrobatic act has worked in niteries, but its necessity for plenty of room makes a better click. *Hurl.*

## EARLE, PHILLY

*Philadelphia, April 10.*

*Happy Felton's Orch, Wynn Murray, Condos Bros. (2), Buster Shaver with Olive & George, 3 Reasons, Lou Schrader's house orch; 'Bulldog Drummond's Peril' (Par).*

Single sock turn is entire Earle show this stanza. It's Buster Shaver with Olive and George, latter two midgets. To Shaver's piano accompaniment they do some chirping strutting, smooth ballroom routines and acro terping. One of the neatest portions is ballroom number, with Shaver and the gal partnered, comparing favorably with many full-size duos. Large share of credit belongs to Olive, who has plenty of personality.

Happy Felton's orchestra is here for a second time. Aggregation has been changed somewhat since appearance here about six months ago, all to the better. Hot tymper has been added and he might be given more chance to strut. Felton is personable and carries a heavy load, being genial m.c. and fair comic-chirper. He warbles one of his old ones, 'Allegheny Al,' and is good on a new one, 'Rhythm Cowboy Joe.' Guitar and fiddle aid in latter.

With band is trio of gal harmonizers, Three Reasons. Pipes are

(Continued on

# Variety Bills

### NEXT WEEK (April 18)
### THIS WEEK (April 11)

Numerals in connection with bills below indicate opening day of show, whether full or split week

## RKO

**BOSTON**
**Boston (14)**
ernlylcl Co
(7)
uck & Bubbles
**Memorial (14)**
Guy Lombardo Orc
(7)
Bines Girls
Louis DePron
Jane Pickens
Gone Sheldon
Holland & Hart
Park & Clifford
Janet Carroll
**CHICAGO**
**Palace (15)**
5 Jansleys
Jone Pickens
Frank Goby
Holland & Hart
(8)
Nelson lephants
Campo
Eddie Garr
Abbott Dancers
**CINCINNATI**
**Shubert (15)**
Al Pearce Co
(8)
Buddy Rogers Orc
**CLEVELAND**
**Palace (15)**
Fred Waring Oro
(8)
Major Bowes Co
**KANSAS CITY**
**Mainstreet (8)**
Belle H'lan Fol
**MINNEAPOLIS**
**Orpheum (15)**
Eddy Duchin Orc
**SCHENECTADY**
**Proctor's (14-16)**
Jack Lenny
Stattlar 2
Phyllis Colt
Diamond Bros
Alphonse Berg Co
Al Trahan

## THIS WEEK
IN WASHINGTON

## Loew

**NEW YORK CITY**
**State (14)**
Rudy Vallee Co
**EVANSVILLE**
**Majestic (14-16)**
Park Ave Rev
**PITTSBURGH**
**Stanley (15)**
Allan Jones
Sheila Barrett
4 Franks
Danville
**WASHINGTON**
**Capitol (15)**
Sylvia Froos
16 Smart Steps
Patricia Bowman
Paul Gerrits
Frank Libuse Co
Troy & Lynne

## Paramount

**NEW YORK CITY**
**Paramount (13)**
Tommy Dorsey Oro
Ben Blue
Nichols & Roberts
**ATLANTA**
**Georgia (15)**
H'wood Hotel Unit
**BUFFALO**
**Buffalo**
Phil Spitalny Oro
Sunny Rice
**CHICAGO**
**Chicago (15)**
owe Hite & S
etty Bruce
**DETROIT**
**ichigan (15)**
ine
Cappy Barra Co
Spanky McFarland
Jack Pepper
Tommy Riggs
Carol Manners
**HOUSTON**
**Metropolitan (15)**
Pan American Rev
**MINNESOTA**
**Orpheum (15)**
Eddie Duchin Oro
Vic Hyde
Ghezzis
Lathrop Bros & L
**MONTREAL**
**Loew's (15)**
Red Skelton Rev

## Warner

**BROOKLYN**
**Strand (15-17)**
Olive White
Jackie Coop
**PHILADELPHIA**
**Earle (15)**
lenn Gray Oro
(8)
Condos Bros
Wynn Murray
Buster Shaver Co
Hoppy Felton Ore
**PITTSBURGH**
**Stanley (8)**
Major Bowes Co
Jackie Cooper
**WASHINGTON**
**Earle (15)**
16 Dancing Debs
Ray & Trent
Edna Janis
Virginians
Judy Canova
Annie & Zeke
(8)
Cab Calloway Oro

## Independent

**CHICAGO**
**State Lake (15)**
Chester Morris
Bolabanow 5
Frances & McCoy
Billy & Joy Severin
(One to fill)
**INDIANAPOLIS**
**Lyric (15)**
Wayne King Bd
Ames & Arno
Gower & Jeanne
Robert Neller
King Charlstore
**KANSAS CITY, MO**
**Fox-Tower (15)**
Sinclair Sis
Jack Lavier
Ray & Harrison
**MEMPHIS**
**Orpheum (15)**
Earl Taylor's Co

## London

### Week of April 11

**Astoria D. H.**
Melvilles
**Dominion**
Younkmon's Hil
**CAMDEN TOWN**
**Gaumont**
Leslie Jefferies 3
**CLAPHAM**
**Granada**
Neuman, W & Y
Geddes Bros
Bobby Howell Bd
**EAST HAM**
**Granada**
Teddy Foster
Edward Victor
Joe Peterson
Fields Bd
**ISLINGTON**
**Blue Hall**
Castelli & Yorke
Daros
**TOOTING**
**Granada**
Neuman, W & Y
Geddes Bros
Bobby Howell

## Provincial

### Week of April 11

**ABERDEEN**
**Tivoli**
Jack Anthony
Bond Rowell
Terry Wilson
Neller & Chu
Hilda Meacham
Jay Morelle
12 Sher'n Fisher Gls
Faure 4
Jack Love
C & N Kay
Tommy Graham
**EDINBURGH**
**Royal**
S'keships Joh's'n Bd
Nelson & Hagen
Frank Wilson
4 Hermans
3 Stooges & Al Oake
**GLASGOW**
**Pavilion**
'Radio Inveranecky'
Harry Gordon
Mona Grey
Jack Holden
Alex Lennox
H'rwoods & Rich'ds
Clayton Sis
12 Loretta Girls
**LIVERPOOL**
**Shakespeare**
Scott & Whaley
Ted Cassidy
A J Powers
4 Wonder Wheelers
3 Aristocrats
Hilda Heath
Hilda Baker

## Cabaret Bills

### NEW YORK CITY

**Barney Gallant's**
Marilyn Gaynor
Mary Neville
Terrace 3
Prof Kamm

**Barrel of**
Snub Mosely ro
Clayton & Dunn
Gertrude Dwyer
Bennett Green

**rtolotti's**
Don Sylvio Oro
Angelo's Rhu'ba Bd
Ivy Cole
June Carroll
Anne White
3 Little Sachs
Laura Deane
Renee Villon

**Bill's Gay**
Ed Furmon
Billy Lorraine
Margaret Young
Joe Howard
Rudy Madison
Ethel Gilbert
Spike Harrison
Bernie Grauer
Henry LaMarr

**Casa Manana**
Abe Lyman Oro
Joe Candullo Ore
Dr Rockwell
Sally Rand
Morton Downey
Oscar Shaw
Tom Patricola
Stan Kavanagh
Willie West & M
Walter Dare Wahl
Frazee Sis
Proske's Tigers
Sanami & Michi

**Chateau Moder**
Bigelow & Lee
Dorothy Turry
Bess & Rickson

**Chez Firehouse**
Al Evans Orc
John Hoysradt
Massey & Miller
Polson Gardner

**Club Cavalier**
Chapple Erante Orc
Lou Taylor
Peggy O'Neill
Ramona
Bothw'l Browne Gls

**Club 18**
G Andrews Ore
Jack White
Pat Harrington
June Lorraine
Frankie Hyers
Lelia Gaynes
Jerry Kruger
Doc R E Lee
1-R'd Jackson
Willie Grogan
Julio

**Club Gaucho**
Los Gauchos Ore
Dimitri & Virgil
Trini Plaza
Nannette Vallon
Arturo Cortes
Latonita

**Cotton Club**
Duke Ellington Orc
Aida Ward
Peters Sis
Peg-Leg Bates
Mae Johnson
Alan & Anise
Chocolateers

**El Morocco**
Ernie Holst Orc

**Famous Door**
Louis Prima Orc
Oshins & Lessy
Rose Blane

**Garbn**
Francis Hayes Orc
Baron Gyldenkrone
Mickey Feeley
Marcelle Wellington
Elaine & Henry

**Greenwich Village Casino**
Ray O'Hara Oro
Aileen Cook
Helen & To lp
Gwen Mario
Ruth Hozen
Valerie Dumont
Joey Cappo

**Havana-Madrid**
Vicente Gomez
Raquel & Tarriba
Lucha Reyes
Hilda Ramos
Adelita Varel
El Caney 6

**Hickory House**
Jos Marsala Orc
Peggy Newton
3 Peppers

**otel Ambassador**
Dick Gasparre Orc
Beaurell & Tova
Adelaide Moffett

**Hotel Astor**
Sande Williams Orc
M Raginsky Orc

**Hotel Belmont-Plaza**
Senny Kendis Orc
Lee Sims
Ilo May Bailey

**otel Biltmore**
Horace Heidt Orc
Charles Goodman
Red Farrington
Lysbeth Hughes
4 Kings

**Hotel Bossert (Brooklyn)**
Will McCune Orc

**Hotel Commodore**
Red Norvo Oro
Mildred Bailey

**otel Edison**
Blue Barron Oro

**Hotel Essex House**
Charles Baum Oro
Vee Lawnhurst

**Hotel Gov. Clinton**
Eddie Lane Oro

**Hotel Lincoln**
Isham Jones Orc
Kathleen Lane

**Hotel McAlpin**
J Messner Oro
Jeanne D'Arcy
Gonzalez & Mennen

**Hotel New Yorker**
Jimmy Dorsey Orc
Bob Eberle
June Richmond
Ross McLean
Charles Uksila
Roberts & Farley
Alfred Trenkler
Ronald Roberts
Bobbie Dorree
May Judels
Dufleine Farley
DeLories Ziegfeld
Erin Walt

**Hotel Park Cent**
Jerry Blaine Orc
Le Zorros
Walter Donahue
Geo Brown
Ann Page

**Hotel Pennsylvania**
Benny Goodman Or

**Hotel Piccadilly**
Jeno Bartal Orc

**Hotel Plaza**
Pancho Orc
Paul Draper

**Hotel Roosevelt**
Orrin Tucker Oro
Bonnie Baker
Bailey Sis
Morton Wells

**Hotel Savoy-Plaza**
Gerry Morton Orc
Joe McNamara
Dixie Ingram
Dwight Fiske

**Hotel Shelton**
Ed Mayehoff Orc

**Hotel St. George (Brooklyn)**
Harold Stern Oro

**Hotel St. Moritz**
Ralph Gonzales Orc
Basil Fomeen Orc
Claire Vermonte
Fawn & Jordon

**Hotel St. Regis**
Emil Coleman Orc
C Coilolben Oro
Vanda Mara
Mario & Floria

**Hotel Taft**
Geo. Hall Orc
Dolly Dawn

**Hotel Waldorf-Astoria**
Leo Reisman Oro
Xavier Cugat Oro
Eve Symington
Paul Haakon
Nina Whitney

**International Casino**
Yascha Bunchuk Or
Geno Fosdick Orc
Vinc'nt Bragale Orc
Calgary Bros
Gaudsmith Bros
Emilia McMullen
Bobby May
C de la Grange
Arlful
Maurice & Crence
Jacqueline Mignac
Emilie Gregoire

**Jimmy Kelly's**
Joe Capello Orc
Allan Small Oro
Inga Borg
Kelly Rev

**Kit Kat nh**
Leroy Haines Orc
Charioteers
Pearl Baines
Teddy Hale

**Larue**
Eddie Davis Orc
Joseph Smith Orc
Julie Gillespie
Graziella Parraga

**La Conga**
E Madriguera Orc
Patricia Gilmore

**La Marquise**
Karol Kane
Muriel Welch
Frank La Salla
Silvertons 3
Maria Forbes
Frank McFarlane
Dolores Rogers
Cela Lee
Ann Stuart

**Laurel-in-the-Pines (Lakewood, N. J.)**
Howard Woods Orc

**Le Coq Rouge**
Nick Vouzen Orc
Geo Sterney Orc
Murray Heyman

**Le Mirage**
Harry Horton Orc
Doris Reed
Rudolph & Nandra
Wynne Ralph
Dolores
Tisdale 3

**Leon & Eddie's**
Lou Martin Oro
Eddie Davis
Alfrede & Dolores

**Le Ruban Bleu**
Hene Emersen
Lotte Lenya
Elsie Houston
Jimmy Daniels
Bowers & Waller

**Little Old New York**
Jack Laurie
Phoebe Hightower
Jack Palmer
Mickey Mallory
Marie Marlow
Billie Chester
Esther Martin
Dolores Watson
Maxie Lengel

**Marta's**
Angel Pagan
Elena Cortez
Pippo
E Villanueva

**Nut Club**
Henry Jerome Orc
Lillian Nono
Helene
Jack Mason

**Old Roumanian**
Michael Weiner rc
Yourly Yourloff
Helen Shaw
Sammy Morris
Rosalie Roy
Sollie Banks
Ethel Bennett
Ada Lubina
Ronnie De Campe

**Onyx Club**
Stuff Smith Orc

**Parell**
Bunny Berigan Orc
Lionel Rand Oro
Barbara Parks
K & R Paige
Johnny Coy
Alon Carney
Liberto & Owens
Shannon Dean
4 McNallie Sis

**Place Elegante**
W Palermo Orc
Bill Farrell
Ernest Franz
Vincent DeCosta
Rex Gavitte

**Plantation Club**
Orie Alston Orc
Lee Simmons
Morton & Margo
Lawrence Hill
Anderson Sis

**Queen Mary**
Hal Hope Orc
Ray Jones
Ann White
Sid Manish
Katherine Mayfield
Wilson Lang

**Queens Terrace (Woodside, L. I.)**
Jack Melvin Orc
Deauville Boys
Harriet Cross
Rosalie Roy
Phyllis Dare
Adams & Nevins

**Radio Franks' Club**
Frank Bessinger
Jerry White
Gracie Morgan
Gus Wicks
Jimmy Burns
Fred Bishop
Mammy Jennie
Joe Gallagher

**Rainbow Grill**
Bert lock Orc
Theod're & Denesha
Marilynn & Michael

**Rainbow Room**
Eddie LeBaron Oro
Ruby Newman Orc
Billy Milton
Raye & Naldi

**Roumanian Village**
Charley Swartz Orc
Ludwig Satz
Henry Berman
Leo Fuld
Henrich Cross
Doloris-Rosina
Gypsy Nina

**Russian**
Sasha Daisko Orc
Anna Kouznetzova
Mara
Sinda Voella
Alex Bolshakoff
Eli Spivack
Zachar Martinoff

**Russian tchma**
Nicholas Matthey Or
Michel Michon
Nadia Sokoloskaya
Marusia Sava
Simeon Karaveeff

**Salon Royal**
Barry Winton Oro
J Dominguez Oro
Joan Edwards
Nancy Nelson
Hilda Salazar
Martha Stephenson

**Stork Club**
Bobby Parks Orc
Nilo Menendez Oro

**Versailles**
M Bergere Oro
Gus Martel Oro
Willie & E Howard
Bernice Parks

**Village Barn**
Johnny Johnson Or
Tom Emerson Co
Larry McMahon
Gordner & Kane
Cyril Mansfield
Kollegiate Kids

**Village Brewery**
Lou Carroll Oro
Jimmy Audubon
Pat Kilpatrick

**Whirling Top**
Geo Morris Oro
Ramon Ringo
Stephen Harris
Marta Cerny

**Wivel**
Bob Asen Oro
Joe Arena
Marion Putnam
Bob Lee
Patricia Riley
Fjola Marine

### LOS ANGELES

**Bali**
Charlie Lawrence
Bruz Fletcher

**Beverly Wilshire**
Harry Owens Ore

**iltmore**
Dean Janis
Joaquin Garay
Petch & Deauville
Pritchard & Lord
Frank Trombar Orc

**Cafe de Par**
Max Cochrane Oro
Johnny Elliott
Siemers 2
Hilton Sis
Linda Grayson

**Cafe International**
Les Hite Orc

**fe la Maze**
Eliane Dahl
Don Roland Oro

**Clover Club**
Bob Grant Oro
Rhumba Orc

**Club Ver lles**
3 Robert Bros
Carmen Carmecta
Helen Robbins
Bill Lankin
Daryl Harper Oro

**Cocoanut Grove**
Bergen & McCarthy
Alec Templeton
Herbie Kay Oro

**Haw iian**

**Paradise Club**
Leina Ala
Salina
Hilda Pualola
Eddie Bush 3
Pau Kialoha
Pat O'Shea
Dick McIntyre
Sol Hoopii Orc

**It Cafe**
Amando & Lita
Jimmie Dodd
Aulwa Boys

**La Conga**
Chiquito
Tana
Eduardo Duranda
Rhumba Bd
H Rosenthal Orc

**Little Club**
Jane Jones
Bessie
Tiny Meredith
Lee Keener
Paul Kendall
Helen Warner

**Omar's Dome**
Lee Leman
Avonda
Mavis Mims
Eddy & Toure
G Redmonds Oro

**Pacific Sunset Club**
Vicki Allen
Rosalilonos
Agnes Johnson
Kenny Gortner
Dorothy Rober
Chico

**Palomar**
Dural & Renee
Mislnge
Muzzy Marcellano
Hudson Metzger Gls
3 Debutantes
Ted Fio Rito Oro

**Perle Inn**
Henry Monet
Ken Henryson
Raoul & Conchita
Danga Var
Del Rio & DeM
Bobbie Dronnan
Dominic Columbia
Thora Mathieson
Frank Sortino Oro

**Seven Seas**
Lily Gibson
Honolulu Dancers
Kay Silver

**Somerset House**
4 Park Ave Boys
Durrell Alexander

**Topsy's**
Leona Rice
Alice Hulett
Agnes Johnson
Maxine Wingo
Dana Billings
Russell Brown
Tony Allan
Jane Lord
Constance Blackin'o
Lorraine Gerard
Jan Garber Orc

**Trocadero**
Garwood Van Oro
Panchito Orc
Victor Hugo
Judy Janis
Bob Millar Or

**lackhawk**
Bob Crosby Orc
Alice Marlon
Lovenne & Henar
Jo Andrews

**Chez Paree**
Harry Richman
Judy Starr
Lou Breese Orc
E & J Preisser
Don Hoston
Don Orlando Orc

**Col i**
Henri G rc
Gus Van
Yvette Rugel
Franchon & F'ch o
Eddie White
Ross Wy e Jr
Renee Villon
Mildred Jordon

**Club Alabam**
Harriet Norris
Effie Barton
Inez Gamble
Carl Villani
Bernie Adler
Menle Morrison

**885 Club**
Paul Rosini
Gladys Crane
Susan Caolu
Gloria Foye
J Hannert
Nina Rinaldo Orc

**Gay 's**
Lew King
Ingrid
Dolores Green
Skippy Reole
Bobbie Conner
Lew King
Jules Novitt Orc
Colleen

**Harry's N. Y. Cabaret**
Chas Engles Orc
Jack Irving
Art Buckley
Al Wagner
Dorothy Johnston
Laurens Novell
Joe & Lonett
Harry Linden
Billy Meyers
Mystic Vibra

**Hi-**
Willie Shore
Nan Blackstone
Lubo Malina
Gould Sis
Koy LaSalle
Sid Lang Orc

**Hotel ismarck (Walnut Room)**
Art Kassel Oro
Morton Holmes
Billy Lea
2 Eileens
Frank Payne
Young & Sloan

**niel Brevoort**
Florence Schubert
Bene Laevin
Joe Parlato

**Hotel Congress (Casino)**
N T G Rev

**Drake Hotel (Gold Coast R**
Hal Kemp Oro
Rosolind Morquie
Elaine & Barrie
Chas Carrer
Sunny O'Dea

**Grand Terrace**
Louis Armstrong Or
Moy Diggs
Penny & Joe
Sunny Woods
Bobby Caston
Julia Ituller

**Edgewater Beach Hotel**
**(Marine Room)**
Griff Williams Orc
Monte Kelly
Buddy Moreno
Nob 3

**Hotel lmer House (Empire Room)**
Maurice & Cordoba
Gali-Gali
Dorothy King
Stanley Hickman
Bernie Cummins Or
Abbott Dancers

**otel Sherman (College Inn)**
Nevelle Bros
Bob Bromley
Stadler & Rose
Louis Panico Ore

**Hotel Stevens (Continental Room)**
Sterling Young Orc

**Rose Bowl**
Earl Rickard
Mickey Dunn
Paulette LaPierre
Marcella Gardner
Peggy Lee
Tom Ferris
John Hurst

**Royale Frolics**
Reis Bros
Dolly Kay
Joyce Bros & Dean
Mark Fisher Ore
Sid Tomack
Anita Jacobi
Jack Hilliard
Richards, Adriene 3
3 Trojans

**Three**
Roy Eldridge Ora
Cleo Brown
Gladys Palmer
Fred Recil
Monette Moore

**Yacht Club**
Billy Gray
Jerry Bergen
Mildred Fenton
Frizzie Lurie
Maurie Stein Oro

**606 Club**
Billy Carr
Morton Miller
Tripoli 3
Mary Grant
Boots Burns
Murne

### PHILADELPHIA

**Anchorage**
Lee Lamont
La Cardo
Eleanor Bowers
Johnny Graff Orc

**Arcadia Int'l**
Johnny Long Oro
Jean Shaw
Martin & Altier
Jack Edmondson
Roberts Circus
Daisy, Wonderhorse
La Tiefe
Kmar
Don Riccardo Oro

**Bellevue-Stratford (Planet Room)**
Meyer Davis Ore
**(Burgundy Room)**
Frank Juele Orc

**Ben Franklin Hotel (Georgian Room)**
Leo Zollo Oro

**Benny the Bum's**
Deloyd McKay
Harry Dobbs Oro
Wally Wanger Girls
Ann Lester
Ondra
Mlle Gigglia & A
Louie Williams
Jimmy Blake
Cliff Conrad

**Cedarwood Inn (Malaga, N. J.)**
Clarence Mich Ore
Frankie La Bee
Bernice Gee
Jack Curtis
Belle Rochelle

**Club 15**
Dick Thomas
Jerry Delmar Ore
Marie Little
Marian Bennett
Nanette
Billie France

**Club Parakeet**
Cleon Barr
Sunny Grasse
Al Wilson
Maina Leonard
Emma Stouck
Fran Conwell
Bill Thornton Oro

**Embassy Club**
Barbara Johnson
Dorothy Morgan
Joan Andrews
May Joyce
Wynn Paterson
Virginia Langdon
Rolso Benlon
Bert Clemoux
Cordova Sis
Pedro Blanco Ore
Cliff Hall

**Evergreen Casino**
Jack Rich
Kay King
Corday & Triano
Moya Engels
Kathleen May
Artistic Rollers
Henry May Ore

**1523 Locust**
Babette
Daisy Leighton
Ruth Mortin
Kay Lavery
Irene Kay
Swing Kings Ore
Bubbles Shelby

**Hollyw d Cafe**
Grace O'Hara
Billy Hays Orc
Marrone & Gallo
Jack Steck
Ambassadors Line

**Hotel Adelphia (Cafe Marguery)**
Bob Roitner
Joe Frasetto Ore
Pierce & Harris
Serge Flash
Nemi Sis
Rosemary Deering
Don Angelino Oro
6 Danwills

**Lamb's Tavern**
Larry Meli Oro

**Little Rathskeller**
Jack Griffin Or
Johnny & Geor
Nancy Lee
Ruby Bennett
Selma Hallman
Lorraine
Ruby Horn
Marty Bohn

**Palumbo's**
Bobby Morro Ore
Eddie Thomas
Leo Bartel
4 Bombshells
Mildred Gilson
Patch & Patches
Paul Lee

**Stamp's Cafe**
Babette
Horr Sis
LaCosta & Lolita
Vic Earlson
Pat Cranford
Jack & Johnny
Irving Braslow rc

**Silver Lake Inn (Clementon)**
Bill Honey Ore
Leonards
Ruthania & Malc'm
Kahn & De Pinto

**1214 Club**
Hollywood Girls
Pearl Alexander
Isabelle Ray
Eleanor Sterling
Ginger Sherry
Myrna Deane
Chick Finie Ore

**Parrish Cafe**
Happy Jack
Swingsters Orc
Arlene Battcuste
George Craft
Baby Lewis

**Dutkin's Rathskeller**
Canfield Smith
De Mayos
Foster & Doone
Eleanor Lane
Victor Nelson Ore
Frank Ponti

**21 Club**
Catherine Hoyt
Mimi Rollins
Elaine Martin
Jerry Brandon
Music Weavers

**20th Century**
Lou Longo Oro
Harold Baswick

**Walton Roof**
Henny Youngman
Jeno Donath Orc
Vincent Rizzo Oro
Paul Neff Oro
Steve Evans
Readinger 2
Sydell & Spotty
J & E Vernon
Ruth Petty
Marlore
Agnes Tolle

**Weber's Hof Brau (Camden)**
Louis Chalkio Ore
Ray Miller
T & J Sh'll'nb'mmer
John Gladmore Co
Melva Sis
Pierre Sis
Ella Radfor
Geo Wallace
Jack Moss
Seople Zintle
Int'l Instrumental
Sid Golden
Eldoradians
Ilse Hart

**Ubangi Club**
Doc Hyder Oro
Bobby Evans
Pauline Bryant
LeRoy McCoy
3 Brown Jacks
Lillian Young
Navels
Jennie Dancer

**Viking Cafe**
Frank Murtha
Miller & Millard
Eleanor Londy
Betsy Main
Peggy O'Neill
Frankie Springman
Billy Callahan
Chick Henderson
Geo Lain Orc

**Yorktowne Tavern**
Frank Harrigan
Frank Stubb Oro

### BOSTON

**rown Derby**
Jl lo McIlals Oro
Scott & Douglas
Rose Royner
Mary Lou & S
Lynne Borne
Walter Donahue
Sylvia Thompson

**Club Mayfair**
Lewis Bonick Orc
Dawn & Darrow
Dick & Dot Jones
Mystics 3
Frank Hell
4 Kings

**Coconut Grove**
Billy Lossez Oro
Billy Payne
Chas Muzone Co 5
Park & Lane
Al Richer

**Congo**
Eddie Deas Ore
Rollins & Rollins
Sweety Pie
Graves
Sally Vine
Buddy Lewis
Rese Chupman

**Famous Door**
Herbert Marsh Orc
Alice St John
Ruth Colburn
Norma Mitchell
Walter Cole
Johnny Cawthorne

**Hotel Bradford (Penthouse)**
Frankie Ward Ore
Carmen Trudeau
Muriel Page
Medlaca & Michael
Sherman & McVey
Lawrence Sparton

**Hotel Copley Plaza (Sheraton Room)**
Irwin Gilbert Ora

**Hotel Copley Plaza (Merry-Go-Round)**
Jimmy Avalone Or

**Hotel Copley uare**
Vin Vincent
Dan Sweeney
Helena Carlson

**Hotel Mooris**
Bob Hardy Oro

**Hotel Statler (Ter ce Room)**
Nye Mayhew Oro
Linda Keene
Buddy Welcome

**(Cafe Rouge)**
S Cavicchio Ore

**ntel Westminster (Blue Room)**
Dick Stutz Oro
Honey Murray
Rose Rolland
Tom Hardy
Leo & Rita

**Levaggi's**
Chick Webb Ore
Ella Fitzgerald

**Normandie Ballr'm**
Lawrence Welk Oro
Jerry Burke
Walter loom
Kirby rooke

**Seville**
Don Rico Oro

**Southland**
Lawrence Welk Or
Jerry Burke
Walter Bloom
Kirby Brooke

**Steuben's**
Jack Fisher Ore
Janet Carol
Chadwicks 2
Kane Bros
Finney & Rogers
Marie King

Van

**Tremont Plaza**
Gene Nickerson Or

### PITTSBURGH

**ll Green's**
Leighton Noble Orc
Edith Caldwell
Chick Floyd
Johnny McAfee

**Rain ro**

**Hotel Roosevelt**
Buddy Russell 3

**Hotel Schenley**
Howdy Baum Oro
Freda Lazier
Buzz Aston

**Hotel Webster Hall**
Major Olmes Oro
Helen Martin
Johnny Duffy

**Hotel William Penn (Grill)**
Lawrence Welk Orc
Lois Best
Kirby Brooks
Walter Bloom
**(Continental Bar)**
3 Guardsmen

**Italian Gardens**
Ezzi Covato Ore
Carmen
Glenn Harding
Wayne & Roberta

**New Penn**
Joe Haymes Oro
Honey Burns
Joe Rogers
Bert Layton Rev

**Nixon Cafe**
Fran Eichler Ore
Bob Carter
5 Revelettes
2 Georges
Joan & Betty Lee
Ross Irwin
Angelo Di Palma

**Nut Club**
Bill Hector
Hoffvdille
Al Gault

**Pines**
Brad Hunt Or
Ruy & Marie

**Plaza Cafe**
Jimmy Peytun Ore
Adele Curtiss
Silver Cyclones
Chiquita
Joe Thomas

**Show Boat**
Al Marsico Oro
Chickie & Rose
Herb Harrison
Chick Kemble
Betty Jerome
Wayne Vargnace
Wilma Douglas
5 Palmer Girls

**Windmill**
Lenny Hahn Ore
Jack Peck Revue

### DETROIT

**Book-Cadillac Hotel (Book Casino)**
Johnny Hamp Oro
Crawford & Caskey
Jane Whitney
John Campbell
**(Motor Bar)**
Peter Kent Ore
Connie Gates

**Commodore Club**
Carroll & Gorman
Sammy Dibert Oro
Madelyn Baker
Don Arden
Commodorables 6

**Club 29**
Orlenta
Betty Coeds 6
Lenora Ricco
Josephine Campbell
Chorlan & Ardyth
Frank Rupp Oro

**teelt A. C.**
Bob Chester Oro
Jackie Fisher
Pat Nasca
Arny Curvall

**Hotel Statler (Terrace Room)**
Jack Marshard Orc
Vaughan Munroe
Jeanne & Gower
Jack Berry

**Northwood Inn**
Ray Carlin Oro
La Rue Parker
Monty Wysong
Jimmie Parrish
Eddie Noll
Marian Nolan
Bertruy Sis

**Powatan**
Suni Shaw
Johnny Howard
3 Orchids
De Buld 2
Warren & Bodi
4 Debutantes
Music Masters Ore

**Plantation**
Bill Walker
Edith Wilson
Swan & Leo
Phil Jackson
Lula Maye
Gladys
Cecil Lee Oro

**Saks**
Les Backer Ore
Viscounts 3
Ramon & Florine
Arlene Whitney
Joan Hope

**Two-Forty Club**
Natalie & Howard
Adorables (6)
Pinky Tracy
Barbara Moye
Jimmy Nolan
Boris Romanoff
Coyle McKay Ore

**Webster Hall (Cocktail Grill)**
Art Mooney Oro
Charles Auld
Al Nally
Bill Baird
Frances Willer
Betty Stevenson

## Irwin's New Setup

Lou Irwi is readjusting his New York office in the two weeks he's staying east. Hollywood agent came on ith Jimmy Ritz for latter's marriage to Ruth Hilliard, film player, tomorrow (Thursday) in New York. Irwin is taking smaller quarters, but not closing up. Larry Puck continues as N. Y. rep.

Dwindling of radio on the Coast may shift Benjamin David east in charge of the radio division for Irwi

## All Pearce's Vaude

Al Pearce's Gang, who appear on his weekly (CBS, Tuesdays) radi program for Ford Dealers, have been booked into the Earle, Washington, D. C., week of April 29.

Next week, opening Friday (15), Pearce plays the Shubert, Cinci

## LEWIS CIRCUS AS AN ACT

etroit, April 12.

Lewis Bros. circus is current on stage of Colonial theatre here, ith raft of monk ; lions, dogs, wns and a four-ton elephant.

Three performances skedded di , plus a daily free outdoor exhi ition.

# Peace in TMAT Ranks; Vroom Stays, But Plenty of Problems to Solve

Peace has ostensibly been restored within the Theatrical anagers, Agents and Treasurers union after dissension that threatened the organi tion. Officials now declare that 'everything is hunky dory.' Rapid development of TMAT within a two-month period, as compared to its latent existence for eight or nine years, was stated to have resulted in sharp differences of opi ion within the organization. Indications are that condition still exists, but it is hoped to iron out the union's problems gradually.

After the weekly board meeting last Friday (8), TMAT was stated to have quieted the internal disturbance of earlier in the week. Lodewick Vroom, president, did not resign and he appeared mollified over the board's earlier action, which was claimed to have breached his contract as executive-director.

### Emergency Past

Directors are now in control. It was explained that Vroom was given plenary power during a time of emergency, which ended when the basic agreement was signed. Apparently he accepted the viewpoint that the union must effect unity in order to progress. Dispute over inclusion of some points in League of N. Y. Theatres agreement was set aside with the argument that nothing could be done about it at this time.

TMAT faces a number of problems, not the least of which is the presence of deadwood in the ranks. Estimated that as high as 60% are rated as having questionable qualifications for jobs. Those who work more or less regularly are wondering if and when the time will come that they will be assessed to take care of the ineligibles or incompetents. There is also talk of a weeding-out process, though nothing is definite along that line. Figured, however, that there are not enough jobs in sight for the 800-odd membership.

Reported that some members favor boosting the ante and making the cost of joining TMAT prohibitive, but does not include out-of-town groups who may join for $56 as against $116 in New York. Cooler heads say that is plenty. Known that the admissions committee is fine-combing the qualifications of those waiting to join. Also reported that only six were admitted out of around 99 names on the list.

### Tightening Up

Another way of tightening up among even those in the union is intimat . That would call for men who cannot prove three years' experience being ousted. That particularly applies to company and house managers. Boxoffice people are not so much concerned and even less so are the press agents. Some treasurers and managers belong to both those groups, which has provided some sort of problem, though all claim they have qualified for both.

There were fireworks during a meeting of the managers' group called to elect officers. Hal Olver, one of the TMAT organizers, began a speech which he never completed. He entered into personalities with such violent wordage that a point of order was called. Olver's plaint was principally over the action of the board when Vroom's status was argued. Speaker warned the meeting that the union might be disrupted, but he took the air when told the members did not care to listen. Specific purpose of the meeting was to name a chairman. Howard Schnebbe was elected, with Tom Bodkin, vice-chairman, and Jerry Flynn, secretary.

Printed copies of the basic agreement between the league and TMAT are being distributed for individual producer signatures. In the meantime contracts of those having jobs are being signed in triplicate, one copy being retained by the signer, one filed with the union, and the third retained by the producer.

## Catholic Actors Guild Dinner for George M.

Catholic Actors Guild will toss a testimonial dinner for George M. Cohan at the Astor hotel, N. Y., April 24. Affair is being handled by the guild officers, headed by Dan Healy, headquartered at the hotel.

Gene Buck, vice-president of the guild, is chairman.

## EQUITY STILL NIXING DUNNING SUNDAY BID

Attempts of Philip Dunning to secure a revised ruling from Actors Equity Assn. for Sunday performances of his production of 'Schoolhouse On the Lot,' at the Ritz, N. Y., have so far been unavailing. Second Sabbath performance (10) was to better attendance than the first, but added costs are figured too heavy a handicap to continue the policy indefinitely on the present terms. Equity's ruling calls for double pay for Sunday performances.

Manager proposed to present matinee and night performances and contended that an extra one-eighth salary should apply for one performance. But Equity replied that double pay applied to both, meaning one-fourth additional week's salary. 'Schoolhouse' may switch to the Sabbath matinee, but not next Sunday, because of Easter.

Stagehands indicated a willingness to reduce the extra pay for Sundays, provided that Equity makes the same concessions. Deckhands union does not exact additional coin for such performances in vaudefilm and other theatres, but followed Equity's lead in regards to legit houses.

## MILLER OUT AS COAST FTP CHIEF

Hollywood, April 12.

J. Howard Miller, regional director of the Federal Theatre Project, has been eased out after having been kicked upstairs and is now acting as business manager to Max Reinhardt. Miller, with no previous experience in show biz, was a bone of contention for months and after an invesigation the Los Angeles County Democratic Committee urged that he be relieved of his duties.

Committee's report was ignored and several who had testified, among them William J. Perlman, the playwright, were fired. Since that time Miller was moved on to Washington until the storm blew over, and then released. Perlman has been in the County hospital for several months. FTP officials are reported considering reopening his case and putting him on some writers' project as soon as he is well enough to go to work.

FTP is currently under Colonel Connelly, who recently had to take some raps himself for banning, 'Stevedore' and 'Judgment Day.'

## Current Road Shows

eek of April 11

**'A Private Enterprise,'** house, Wilmington (16).
**'Brother Rat,'** Hanna, land.
**'Ethan Frome'** ( den), Cass, Detroit.
**'Golden Boy,'** Curran, San Francisco.
**'I Married An Angel,'** bert, New Haven (14-16).
**'Mulatto,'** Werba, Brooklyn.
**'Room Service,'** Selwyn, Chicago.
**'Star Wagon,'**
**'Women,'** Nati ton, D. C.
**'Yes, My Darlin** (Florence Reed), burgh.
**'You Can't Take It ith You,'** Geary, San Francisco.

## Ethel Barrymore Pays On $4,000 Equity Claim; Purse Robbed Backstage

Ethel Barrymore will pay off the cast of her late 'An Amazing Career' at the rate of $100 weekly, according to agreement reached at Equity this week. Actress owed $7,000 in unpaid salaries when the touring show folded. Figure has since been reduced to $4,000 via parti payment, although none has been made for the past three years.

Actress was nicked for still more cash recently when her purse was rifled of $100 and a $500 bank draft backstage at the Hudson theatre, N. Y., where she is appearing in 'Whiteoaks.'

Miss Barrymore has to post a $1,000 bond against loss to bank when a stop payment was requested on the draft. Explained that even though the endorsement may be forged by the thief, an innocent third party might be involved, hence the protective measure. Miss Barrymore had requested that when on the road part of her salary be paid in check form. That was the reason for large draft.

## JOHNNIE WALKER SUES LEGIT ANGEL FOR 16½G

Johnnie Walker former motion picture actor, filed suit in N. Y. supreme court yesterday (Tuesday) to recover $16,600 from J. Louis Reynolds, said to be connected with the tobacco family, for breaching an agreement to angel a show Walker was interested in. According to Alfred Krellberg, plaintiff's attorney, Reynolds agreed to back a stage play titled, 'This Pretty World' in which Walker and Reynolds' wife, Helen Fortesque Reynolds were to appear as stars.

The show for some reason, not explained, never reached the boards, although it was in rehearsal for three weeks.

# Boys Are Stepping Out

## Woollcott, Atkinson Rebuke Mrs. F.D.R.—She 'Never Intended' Being a Critic Anyway

ington, April 12.

Chills and indigestion were advanced last week as possible reasons why Mrs. Roosevelt did not enjoy 'Our Town,' at the Morosco, N. Y.

Hearing that the First Lady had been 'depressed' by the play, Alexander Woollcott, dramatic critic and writer, suggested a 'bad dinner' might have been responsible for her reactions. Mrs. Roosevelt meekly confessed that Woollcott might have been right, when he wrote to her, 'more in sorrow than in anger,' rebuking her for her criticism of the Broadway hit. Further apologized that she had not been able to hear the lines very well, and that she nearly froze all during the show.

"I never intended to be a dramatic critic, anyway,' Mrs. F. D. R. said, sadly. 'Just as a laywoman, I was saying, as an uneducated person, what I thought about different plays.'

First Lady enjoyed 'Shadow and Substance' and 'On Borrowed Time,' however, and patted Frank Craven on the back for his 'remarkable Greek shows' in 'Our Town.'

Mrs. Roosevelt was also taken to task recently by Brooks Atkinson, in his Sunday drama column in the N. Y. Times. Critic was apparently burned at the First Lady's implied criticism of him for panning 'Save Me the Waltz,' which closed after a week. Mrs. Roosevelt didn't refer to Atkinson by name, but in her 'My Day' column in the N. Y. World-Telegram spoke of 'certain critics.' She stated she enjoyed the show, but it was generally panned.

Observers were surprised at the bitterness evident in the Atkinson column. It was thought to be the only occasion within memory in which the critic had displayed his personal feelings in print.

# Non-Paid Equity Prez Idea Seems Set; Probably No Opposish Ticket

It appears definite that the next president of Equity will hold the office on a non-salary basis. Arthur Byron, the regular nominee, and Bert Lytell, running mate (first vice-president), accepted the committ proffer with that understanding.

There is a possibility, however, that the council will decide that the presidency will be a paid position. It has the power to rule on salaries, which are not touched upon by the association's constitution or by-laws.

Understood that Byron prefers the non-pay idea, since he would then not feel bound to devote all his time to the office, particularly if inclined to accept Hollywood bids. In the event of his absence from the city, Paul Dullzell would be in charge as executive-secretary and treasurer. Byron and Lytell are slated for the two-year terms left vacant by the withdrawal of Frank Gillmore and the death of Osgood Perkins, who were elected for three-year terms at the last annual election.

Burgess Meredith, acting president, left town to tour in 'The Star Wagon' and the future of his '10-point plan' is in doubt. He expressed the hope that the association's affairs would be handled without further strife. Feeling of the militant faction is that the reforms made during the last four years be consolidated. There is little doubt that those who opposed the admi istration have quieted down, having gotten a clearer view of Equity's workings. As yet there is no indication of an opposition ticket and none of the council nominees is definitely identified as factional.

Byron is said to be financially well fixed as the result of many seasons as a Broadway leading man and from an inheritance from his father, the late Oliver Dowd Byron. Latter is credited with earning a fortune on the road, touring in such plays as 'The Plunger' and 'Across the Continent.' Nominee was quite activ in Equity until about three years ago, when he joined the picture colony on the Coast.

Those in the militant faction declared that Byron's recent statement of policy was quite satisfactory to that group. Indicated that no steps will be taken to put in a separate ticket unless councillors on the ticket took a different position from Byron's.

In certain conservative quarters it was thought unlikely that the militants would risk defeat by enteri a ticket. Explained that the recent nominating committee election was a discouraging blow to the faction.

## SAN CARLO OPERA SET IN CENTER, N. Y.

Center theatre, . Y., dark most of the ti ince ' irginia' folded last relights May 5 for a 10-day engagement of the San Carlo Opera Co. Troupe has principally been a road presentation. Date is in the nature of an experiment, as the Rockefellers have been queried why popular priced opera is not presented at the Center. Pop grand opera has been operating under Alfredo Salmaggi at the Hippodrome, N. Y., on Saturdays during the season.

Fact that etropolitan has dropped its spring program of pop opera furthered the idea to book in the San Carlo troupe, operated by Fortune Gallo. When Radio City was rising, it was planned to move the et there, but the opera moguls finally decided to stick to the old stand.

Center has been used for miscellaneous presentations, including the Mask and Wig show, Dance Internationale and a number of amateur offerings.

## NO LEAGUE KICK AT 'INVASION' BY WPA

Board of dir tors of the League of N. Y. Theatres made no protest as a group over the WPA theatre project using the St. James theatre, N. Y. House soon relights with a relief show, rojan Incident.' However, the managers are opposed to the idea of WPA encroaching on the Times Square theatre zone, and hint possible retaliatory measures.

WPA people state they have received no direct complaint either verbally or written and add there is no intention of using the 44th street house indefinitely. Explained that the league decided not to make formal objection because if WPA should thereafter fail to use the St. James, the lessee, Boris Said, would have grounds for a damage suit. Same goes for any individual complaining.

Claim that when the gentlemen's agreement dated two seasons ago was made, the managers said they would not consider it objectionable if WPA used one house in the theatre district proper. Deadlines otherwise were set as 53rd street on the north and 39th street on the south. Files of the league show no such stipulation. At that time the relief outfit was using the Manhattan (formerly Hammerstein's), directly on Broadway. Exceptions were the Biltmore and later the 49th street, neither then in condition for regular presentation.

Apparently the latter two spots are regarded as precedent so far as the stagehands are concerned. Union had virtually prevented inroads into the show zone, by ruling that the regular wage scale be applied. Under the regulations the WPA was not permitted to pay more than the security wage which kept it out of the theatre zone. Latter will receive such pay with the assent of the union, but if WPA goes into more houses in the zone the original rule may be applied.

## Sam Jaffe to Play Shylock In Penn State's 'Merchant'

ittsburgh, April 12.

Elaborate production of 'Merchant of Venice' being planned by Penn State College late in June, with Sam Jaffee, now in 'A Doll's House,' engaged as Shylock. He'll be supported by an all-student cast. It's the first time Penn State Players, undergraduate dramatic organization, has gone outside for talent.

Drama conference scheduled on campus in two weeks for representatives of high school dramatic groups all over the state, with Alexander Kirkland as chief speaker.

## Chi Ban on WPA's 'Fog' KO'd in Time for Preem; Race Prejudice Scored

Chicago, April 12.

For a day last week it appeared that the Federal Theatre Project here would not be permitted to open its 'Big White Fog,' play by the Negro unit, at the Great Northern. This was due to turndown of play for public showing by Lieut. Harry Costello, of the Chicago Censor Board, when he caught the show at the dress rehearsal Tuesday night (5). Lieut. Costello based his objections to the play on its theme of racial prejudice between whites and blacks.

However, on Wednesday (6) the censor board chief, after appeals by FTP aides here, reconsi red his objections and gave a tentative okay, permitting it to open on schedule Thursday (7).

He stated, however, that this was strictly a ten'ative permit and that the per it might be withdrawn at any time should circumstances arise which would make the show objectionable for public showing.

## Hub's Holland Fete

Boston, April 12.

To celebrate his long and successful convalescence from an accident more than a year ago, friends of George Holland, drama critic of the Boston Evening American, will throw a 'Friendship Dinner' for him at the Copley Plaza, May 24.

Joseph H. Brennan, executive-secretary of Allied Theatres of Massachusetts, is general chairman of the committee.

# Committee Alters Tax Bill, Ends Full Rap on Lower Price Tickets

Several changes affecting the tax on theatre tickets have been written into the revenue bill now before Congress. One of these moves wipes out the collection of a full tax on tickets sold at less than the established price.

Although the Senate ways and means committee had previously turned down an appeal of the Broadway showmen to remove the admissions tax, Senator Pat Harrison is credited with the revision at the instance of William A. Brady. Producer had sought to effect a number of changes in the revenue law applying to admissions.

Showmen had asked the reduction or removal on the plea that the tax was stifling business in the theatre. Particularly the ruling that reduced-price tickets must be taxed at the established price was regarded as inequitable. However, the Treasury Department has always insisted on a strict application of the law.

If tickets are printed with the price of $3.30, the box office is required to pay the collector 30c on each, even if the tickets are sold at a reduced rate. Frequently prices are chopped at the theatre, but the patron must pay 10% on the full rate, so that the government collects more than the percentage set forth in the act.

For tickets sold at cut rates, as at Leblang's agency, the variance is distinctly at the disadvantage of the customer. There is no such thing as a half-priced ticket, because a $3.30 sold by the agency calls for a price of $1.80 ($1.50 plus 30c), which actually means a tax of 20%. Formerly cut-rate tickets were sold at $1.65, which included 10% by the actual selling price, but the government stepped in and demanded the established price nick.

Under the revised law the cut-rate agency which receives allotments of tickets at $1.25 plus the tax at that figure (or $1.38), will sell to the public at $1.65, which was the former selling rate. It includes the tax on the 25c charge made by the agency. Business in cut rates has been dropping for the past several seasons, and it is believed that the additional tax was a factor.

Understood there is a chance of further changes in the act removing the 50% tax applied to money paid theatres by premium agencies in excess of the established price. It is this kink in the law that has caused much grief to box-office men and some managers, the stipulation staying in the act when the same percentage was yanked, so far as agencies are concerned. Claimed that the same ticket lobby responsible for the provision could probably have it written out.

## REORG DEFEAT KILLS F.D.R.'S CULTURE PLAN

Defeat of the Reorganization bill in Congress last week abruptly ended a plan which had been quietly discussed among the President's advisers to set up a bureau of cultural activities to promote legit, music, dance and other theatrical arts. This bureau would have come under the Department of Public Welfare, new cabinet post called for as a part of the Reorganization bill. Numerous other bureau would have been under the jurisdiction of this officer, such as the health department from the Treasury, Indian bureau from the Interior, and Children's bureau from Labor.

Theatrical aspect of the plan received no publicity and was discussed only among insiders. It would have accomplished the aims sought in the Coffee-Pepper bill and thus obviated any reason for passage of that measure.

## Phil Baker's Play

Hollywood, April 12.

Having set Phil Baker to star in is legit comedy, 'The Gag Stays in,' ilton Herbert Gropper, Universal scenarist, is now dickering with Sam Harris and George Abbott for a Broadway production.

Harry (Bottle) McNaughton, Baker's stooge, is also lined up for a featured spot.

## Lambs Fete April 23

Lambs club will stage its annual spring Gambol and dinner dance at the Waldorf-Astoria, N. Y., April 23, with Frank McIntyre as honorary Collie. Acting with him will be Walter Greaza, Arthur Pierson and Ralph Riggs.

Stage director of the show is Edward Clark Lilley.

## Fine 10% Point In Allen's Suit Vs. Fannie Brice

Having earned $340,000 during the 1933-34 run of the Shuberts' 'Ziegfeld Follies' s musical, Edgar Allen lost ission claim against ie Brice on a technicality, apparently well primed by her attorney, Julian T. Abeles and trial counsel, Charles Eno. It was because Allen didn't have an agent's license. Miss Brice blurted this out on the witness stand, and it won for her a dismissal of the complaint.

For the trade, apart from the wide publicity this suit received because of the element that Billy Rose was present in court to testify for his estranged comedienne-wife, etc., it brings up the same old legal point whether an agent's license is necessary or not. It's been established that where the securing of employment is incidental to management duties, an agent doesn't need a license. But in this case Allen rested his suit solely on the fact that, while associated with the late Ed Davidow, he got iss Brice her booking in the show.

It was brought out that the Shuberts (then operating through Select Theatres Corp.) wanted Marilyn Miller for the 'Ziegfeld Follies,' but Allen sold them Miss Brice as comedy star in the first and subsequently the revised edition. She was guaranteed $2,500 a week against 8% of the gross.

William Klein and Milton R. Weinberger, both Shubert attorneys, figured unofficially as legal associates with Bernard Sandler, attorney for Allen. Why the Shubert attorneys should be aligned against iss Brice she couldn't understand at the time of the trial, although Klein averred he was just 'interested.' However, he did spend a day in court, huddling with Sandler. The late Mr. Davidow, of course, is a Shubert brother-in-law.

Miss Brice returned to Hollywood and Metro promptly after the trial. She was picked up on the Metro-Maxwell program from the east.

## The Players on Coast Celebrate 50th Anni

Hollywood, April 12.

Players' Club members on the Coast threw a banquet at the Bel-Air Country Club last week in honor of the 50th anniversary of founding of the club by Edwin Booth. More than 150 persons showed up and the club decided to hold banquets semi-annually.

Howard Lindsey announced that players will do a week of Shakespeare this spring and invited names in Hollywood to make the trek to New York in order to brush up on their Stratford accents.

Gene Lockhart was general chairman and arranged the affair, while Robert Montgomery presided as toastmaster. Joe Cunningham took next-to-closing and ran all the previous speakers through his routine ribs.

he Players, N. Y., was actually chartered in February, 1888, but the present clubhouse, formerly the Edwin Booth home, was not occupied by the organization until Dec. 31 of that year. The Players have not yet held any observance of the anniver ry.

## Mustang Strawhat

San Antonio, April 12.

'A Summer Theatre for the Southwest' is the fancy tag for the first move to establish a strawhat in the hills of old Kerrville (65 miles from the Alamo City) from June 25 to Aug. . Deal is being ramrodded by a couple of Texans—Ramsey Yelvington, announcer and scripter at WACO, Waco, and Clemon White, Rockefeller Foundation scholarship awardee who is now mulling playwrighting at the Univ. of No. Carolina.

During the six weeks, strawhatters expect to exhibit one play per stanza in the auditorium of Schreiner Institute, cannon-fodder academy. Setup will be strictly a community proposition, with the profits, if any, at the end of the six-week stand being split between the producers and the company of 10 or 12 actors. For larger casts peasants will be recruited—but cuffo.

In line with the all-Texas angle, original plays dealing with the Lone Star State will be plugged. Among the plays being studied for production are Yelvington's three-acter on the life of Sam Houston, an East Texas folker by White, and a full-lengther based on Randolph Field, flying cadet life, by William D. Cope. Producers are on the lookout for additional material with a Texas background.

## NABE DISTRIBS SET NEW SCALE

Neighborhood Ticket , Inc., ticket brokerage service, has revised its scale with producers. Outfit sells seats for legit shows at box office prices in suburban New York areas. Weekly charge of $50 per show now covers costs of advertising and display in drug stores, - partment stores, travel bureaus and si ilar outlets within 50 miles of the metropolis.

Fee is deducted from the gross sale per show handled, and the outfit also gets a 10% slice of total business done. Firm takes the rap for the service charge in the event less than $50 per week in business is done, in contrast to the former setup, under which the fee was paid in advance.

Activities of the firm have the approval of the League of N. Y. Theatres. Latter group recently recommended the service to its manager membership as being in line with the aims of the American Theatre Council which seeks to increase theatre attendance of suburbanites.

Among those currently using the service of the agency are Gilbert Miller, Sam H. Grisman and the Group Theatre. Service was started five years ago, but recently acquired substantial new backing. Among those who are officers of the service, in addition to S. K. Cartwright, president, are Sherman Pratt, R. E. McCormick, F. B. Alexander, Herbert L. Pratt, Jr., and Walter S. Hoyt.

# Kondolf O.O.'s Equity List of Ams On WPA; No Action on Complaints

George Kondolf, production head of the Federal Theatre Project in New York, is investigating a list sub itted by Equity of alleged amateurs on the WPA payroll. List contai 418 names, although it was claimed there were more than 500 when it was originally compiled. Over 100 people are said to be in the Negro unit of the project. That WPA people will agree that the list is correct is open to question on the ground that amateurism is matter of opinion.

Question of amateurs was brought to an issue when WPA started transfers out of the relief theatre to other WPA projects. Equity contended that if transfers were to be ade the non-pros should be culled out before any recognized actors were affected. Stated that Hallie Flanagan, national director of the project, was in agreement with the Equity proposal. Association officers are still awaiting action on complaints of the few who were transferred.

New York end expected that the authorization to add 300 actors to the project would be received. Many applicants on relief have filed for jobs but Administrator Paul Edwards explained they could not be enrolled in the new quota until the signatured order is received from Washington. Plans for sending units to other cities or touring some shows are in abeyance for the same reason.

## Bassage Stays at St. L.

St, Louis, April 12.

arold Bassage, who succeeded F. Cowles Strickland as director of the St. Louis little theatre last fall, has accepted a one-year contract to head the local group during the 1938-39 season. At the conclusion of the local season, May 4, Bassage will go to New England to direct a summer stock company.

He will return here Sept. 1 for next season.

## Woollcott Plug Sends Cecilia Loftus to SRO

Cecilia Loftus, at 61, is back at mi icry, which she did when she originally came from London. Her return is the result of a fast legit flop in which she appeared during the winter. Sunday (10) night her solo appearance drew capacity, takings at the Lyceum, N. Y., being over $1,300 at $2.20 top, the audience including many professionals. Evident success of her impersonations opens up a resurrected field for iss Loftus, with more Sundays to follow and probable appearances out of town.

She was recently a. farce, 'There's Always a Breeze,' which was yanked from the Windsor (48th Street) after a few days. During odd moments she went through imitations in her dressing room to amuse Bernard Hart, the stage manager, and Bill Doll, the play's press agent, which made the pair decide to present her as a solo. This is their first managerial venture. First two Sundays were given at the Little, at $2.75, but there weren't enough lower priced seats. Switch of houses was made for the third appearance. Best gross at the Little had been around $600.

But among the audience there last week was Alexander Woollcott, who was seized with a nostalgic affection for favorites he used to review when critic of the New York Times. He offered to write a story about iss Loftus for the Times, providing it was printed on page one of its drama section, where it appeared.

oolcott's article and its humorous references is credited with aiding the excellent attendance at the Lyceum, which he predicted. Town Crier included some details from Ethel Barrymore's appearance in 'Sunday,' in which she ended a speech with 'That's all there is, there isn't any more' in the throaty tones that are cleverly imitated by Miss Loftus.

Latter, always one of oollcott's pet artists, has appeared in a number of legit plays in the past several seasons but none of a very lasting nature.

Miss Loftus' routine runs the gamut of comedy to tragedy. Mimicry, however, predominates, her subjects including great actresses, present and past, best being the caricatures.

# Equity Rules Change Shows Need Of Basic Contract, Managers Say

udden revision by Actors-Equity Assn. last week of the regulati governing rehearsals and previews was taken by Broadway producers as further evidence that a basic agreement is necessary to establish a permanent set of working conditions.

Equity has offered a one-year deal, during which no further changes would be made. Bid was contingent on an agreement by the League of N. Y. Theatres that it would set a code for ticket control. Such a basic agreement may be reached this spring, to apply to next season.

It had been indicated that Equity was not planning further changes in its contracts, but the additional rules were adopted in mid-March, then were passed on by the association's legal department. But one or two new resolutions were slipped through at last week's council session.

In one direction, however, Equity withdrew from its stand on previews. It was sought to separate pay for previews from the two-week minimum requirement on salaries. That plan was based on an arbitration concerning the cast of 'Time and the Conways' and later on claims of players in 'Roosty.' In both instances the actors were given extra pay, but the arbitrators ducked the issue of establishing the first paid performance as the start of the minimum guarantee period (two weeks pay).

Instead of taking a chance on a future arbitration or possible court decision, the concil ruled that if paid previews are given immediately preceding the premiere, without an interval and without intervening rehearsals or non-paid previews, such money shall be counted as part of the minimum guaranty. Rule applies only to shows closing within tw weeks and has no relation to rehearsal pay nor does it apply if the show rehearses more than the prescribed time and the players are on full salary.

Other new rules apply to rehearsal pay and if an actor joins a cast already in rehearsal, replacing one dismissed after the probationary period, replacement player is to receive pay from the first day of his rehearsing, at the rate of $20 per week. Probationary period is five days for a straight show and seven days for musicals. If an actor replaces another who is let out during the probationary period, his rehearsal pay starts on the sixth day after he joins the company. Time for rehearsal pay was lengthened two days when the probationary period was reduced.

Notice was also given managers that five days (seven for musical) of rehearsals shall be free prior to the start of a second season, as when a show laying off during summer prepares for the road. Balance of the first, second and third weeks call for regulation rehearsal pay, full salaries being payable thereafter (following the fourth week for musicals). However, if the number of replacement principals is 70% or more, the usual rehearsal pay rules apply, adding one week to the allowed period.

Another new rule is that actors given let-out notice cannot be replaced by players at a lesser salary without the okay of Equity's cuts board.

Managers immedi ly sought a reconsideration of the rule, contending that it gives the actor the privilege of quitting without stating cause, whereas the manager now must explain reason for dismissals and replacements. Showmen said the rule is inequitable because it's one sided and said they doubt its legality.

Equity explained that managers were not denied the right to reduce salaries but that certain producers have been evading the established regulations, with repeated instances of members being placed at a disadvantage, if not being virtually forced out of jobs. Stated that within two months or so, 20 or more members were asked to take salary slices or given notices. With the actor taking the latter course, the manager was not laid open to the charge of not adhering to the rules.

Decline of business, particularly at the present, is recognized as a legitimate reason for reducing operating expense by cutting salaries. There were abuses, however, and Equity

(Continued on page 50)

# Plays Out of Town

## STRAY GREEKS

Hollywood, April 3.

Comedy drama in three acts (five scenes) by William Bowers. Produced by William [illegible]. Directed by Anatole Winogradoff. Cast: Arthur Crutchfield, Bruce Daniels, Don De Fore, Tom Betterton, Stanley Becker, Michael Owen, John James, Gene [illegible], Robert Newland, Leonard Wilson, Frank Chartier, William Dean, Jack Stanton, Irving Moss, Fabian Leppich, Hansel Warren, Stella Mary Burgess. At the Hollytown, Hollywood, March 29, '38, $1.10 top.

illiam Bowers made a fortunate choice when he selected a midwestern university fraternity house as the locale for his first play. Its initial presentation here reveals he understands thoroughly the Greek letter lads.

'Stray Greeks' is fast moving, cleverly-dialoged and mirth-provoking. Well mounted, ably directed and played; it's by far the best legit bet unveiled so far this season in this area. It's entitled to a bigger and better spot. Because Bowers has masterfully drawn a risque picture of present college happenings, it's unsuitable for pictures. Censorship would rob it of the realism that makes it outright entertainment. Cast is made up of 16 juves and one femme, each contributing to the play's success, despite a natural opening night nervousness. William Dean, who produced, was also a cast standout.

Frantic efforts of the frat brothers to raise $10,000 to meet an overdue mortgage on their abode provides the motivating idea. Rich scattered alumni accept collect wire appeals for help, but refuse via the same route, with the colored houseboy exhausting his vings to pay the charges. Lone girl throws a bombshell into the house when she spurns marriage proposals of three wise lads and elopes with dumbest of the bunch. Sandwich peddler, who nightly, after visiting the sorority houses, brings news and views of the boys' lady friends, provides disappointments for the later but many laughs for the audience. *Moak.*

## YANKEE DOODLE

### (PAINT AND POWDER)

Middletown, Conn., April 9.

Drama in three acts, seven scenes, by Coley Taylor. Directed by Ralph Pendleton. Acted and presented by members of the Paint and Powder Club, Wesleyan University, at '92 Theat Middletown, April 8-9.

As the fifth production of their ninth season, Wesleyan U.'s troupe staged a fairly exciting drama of the American Revolution. Piece is dragged out too noticeably in last half, due to long-winded speeches, but ends on a punchy, though tragic, note.

Plot tells of the rift between young Britisher, Bob Evelyn, and his American chum, Ned Fiske, who take opposite sides at the outbreak of war. Evelyn eventually arrives in Fiske's home community as a spy while Ned is away at the front, and obtains lodgings at home of Ned's father. He gradually absorbs the American undercurrent of patriotism and becomes engaged to Linda, Ned's sister. On their wedding night Ned appears, recognizes Bob and brands him a British spy. Subsequent court-martial finds young Evelyn guilty, and sentences him to hang.

Meanwhile, Ned has become convinced Bob is not a spy and has actually joined the revolutionists, but his plea for the boy's life is unheeded. Rather than see him hanged, Ned arranges a duel, but when he shoots Bob, latter fails to return the shot in order to let Ned survive and care for Linda, his sister. That's the curtain.

Play is well handled by tyros. Direction is generally okay and acting offers several standouts. Raymond Forman and George Friese fit as Ned and Bob, Consince Geiger is a pleasing Linda, Will Holmes curses classically as profane General Summers, John Folan and Marion Banks are good in character parts and Persis Greely, Elizabeth Bischoff, Edward Cotter are at ease in the 47-member cast.

Author of play, Coley Taylor, is better known as a drama critic (The World Tomorrow) and editor than a playwright. Writing, in this instance, has finish to it and plot is unfolded smoothly. Sets and costumes are better than adequate and authentic martial music is furnished by the Mattatuck Fife and Drum Corps. *Bone.*

## SHARE CROPPER

Charlotte, N. C., April 1.

Drama in five scenes by Fred Howard; presented by the Carolina Playmakers. Directed by Harry Davis. At Playmaker theatre, Chapel Hill, N. C.

| | |
|---|---|
| Bunk Barnes | John Roughton |
| Henry Barne | Robert Linker |
| Annie Barnes | Marguerite Lipscomb |
| Bella Smith | Frances Roughton |
| Dave Deans | Fred Koch, Jr. |
| Ray Daniel | Donald Rosenberg |
| Cliff Daniel | Clenion White |
| Lawrence Deans | Fred Mayer |
| Big John Becket | Robert Nachtmann |
| Bill Hooks | Dan Nachtmann |
| Fate Woolard | Eugene Langston |
| George Ross | John Morgan |
| Jim Mercer | Gilbert Pearson |
| Zac Hayes | Tommy Fearing |

A tense social drama of the south, 'Share Cropper' deals frankly with the sharecropping conditions of North Carolina tobacco farmers. It's the work of a U. of North Carolina graduate student, Fred Howard, who lifts a controversial subject into prominent display.

John Roughton plays the leading role of Bunk Barnes, a young Negro, who fights to ease the plight of the share croppers as well as he enacted the part of Johnny Johnson in Paul Green's drama of that name last year.

Several years ago Howard wrote a one-act play, 'New Nigger,' which was presented successfully at Chapel Hill and on tour. But now Howard more clearly sets forth the misunderstandings between share cropping Negro tenants and their white overseers, which culminates in a lynching of Big John, the boastful Negro of the play.

Howard takes no sides. He paints his picture and develops his action in a forceful and clear-cut manner, without any attempt for propaganda.

The author belongs to the tobacco country of eastern North Carolina and he knows the sharecropper and the ceaseless misunderstandings between him and the land owner.

# Play on Broadway

## REUNION

Drama in three acts by Ambrose Elwell, Jr.; presented by Kenneth Robinson and Norman H. White, Jr. Staged by Freeman Hammond. At the Bayes, N. Y., April 11; $3.30 top.

| | |
|---|---|
| Landlord | Donald MacDonald |
| Bill Newton | Arthur Holland |
| John Edwards | Andrew J. Fox, Jr. |
| Drake Carlin | Gilbert King |
| Ebel | Hankon Ogle |
| Brules | earon Darmy |
| Ahrend | Wilbur Valsch |
| McEwen | Ted Peckham |
| Ruth White | Dodee Wick |
| Von Muchen | Robert J. Lance |
| Mary Carlin | Blanche Haring |
| Helen Newton | Cleda Hallett |
| Ambulance Driver | Raymond Nelson |
| Guard | James Young |

This roof theatre has been used by amateur or alleged semi-pro players for a season or so and the latest effusion is no different from its predecessors. Yet the presenters are charging $3.30 top. The setup is collegiate, three Harvard boys trying to make a go of it. They have as director Freeman Hammond, who has a summer hideaway in Keene, N. H.

Norman H. itc, Jr., is the reputed author, programed as Ambrose Elwell, Jr. He and Kenneth Robinson are the managers, working with a very short bankroll. However, they sold blocks of tickets to Harvard Club members, which explains the presence at the debut of more top hats than the house has had since Al Jolson opened there in 'Wonder-bar' some years back. Engagement is slated for two weeks, with several performances this week taken care of by the Harvards.

'Reunion' as a play is just as amateurish as the acting. Story starts sadly, the hero coming from commencement soon after burying his young wife, who slaved as a waitress that he could finish his course. Boy wins top honors in chemistry and a pal finances a trip to Germany, where he may work and forget. That is the overtime prolog, which got under way sometime after nine o'clock at the opening.

The chemical wizz is next seen in a German plant 10 years later where he is in charge of an experiment expected to produce a new kind of war gas for the Reich. Another American youth is on the staff but is killed when he whiffs the contents of a retort, which explodes. Other deaths are mentioned from the same causes.

Present, too, is a girl grad from the U of ichigan, who is an assistant. She supplies the love interest, but it's not until the hero returns to Cambridge for the 10th reunion that he comes out of sorrowing over his departed spouse. There is some spoofing of Germany and Hitler, who is mentioned by title rather than name, but the boy and girl manage to get out of the country before being charged with treason and the fate of concentration camps. *Ibee.*

# WPA Play

## BIG WHITE FOG

Chicago, April 9.

Tragedy in three acts and eight scenes by Theodore Ward; presented by Negro unit of Federal Theatre Project. Staged by Kay Ewing. Settings, Harold Kopel. At the Great Northern, Chicago.

| | |
|---|---|
| Ella Mason | Gladys Boucree |
| Juanita Roge | Rosalie Burnell |
| Caroline Mason | elen Howard |
| Philip Mason (at 10) | Arnold Ward |
| Mrs. Brooks | Isabell Futrell |
| Lester Mason | Thomas Poston |
| Wanda Mason | Alice Brooks |
| Victor ason | William McBride |
| Percy Mason | Albert Glenn |
| Claudine Adams | Mercedes Tallafero |
| Daniel Rogers | Edward Fenelton |
| Count Straweder | Joseph Clark |
| Count Cotton | George Lewis |
| Brother Harper | John Hughes |
| 3 Garveyites | Scott Manning<br>Paul Williams<br>Sam Clark |
| Black Cross Nurses | Tillie Johnson<br>Lillian Falls<br>Georgia Carpenter<br>Hettie Reed |
| Nathan Piszer | Harold Gilman |
| Marx | Sidney Ehrenberg |
| Philip | Woodrow Wilson |
| Bailif | Mark Rothschild |
| Bailif | Ernest Roberts<br>Lloyd Cabell |
| 1st Policeman | Syde Waller |
| 2nd Policeman | erman Green |

Others: Larry Brooks, Barney Brown, Joseph M. Benton, Louis Palkin, Meyer Rosen, Paul Bradley, Lloyd Cabell, Morris Spiegel, James Harris, Harry Terman, Charles Hank, Martin Logan, Leroy Tom , Jack Wright.

Negro show based on theme of racial prejudice, being built around the Garvey movement during the early '20's, when a futile attempt was started to launch a Negro republic in Africa.

It's a many-sided story of several sub-plots but revolving around a midwest leader in the movement and his family, showing them being crushed under racial prejudice, with the final blow being the depression.

Head of family loses his money in the Garvey venture; son loses scholarship, due to color; depression wipes out all coin and sends daughter into shame. Final blow shows 'em being tossed out into street for failure to pay rent. ith their backs against wall they're aided by mob which tries to keep the bailiffs from entering the house. Ending finds father killed by the coppers.

Play takes its time getting to the point, and gropes through a maze of obvious situations. Project has done good job with the play, however, with the single setting by Harold Kopel being excellent and the general production commendable. But there's not enough strength in the play to put over its fundamentally strong theme. *Gold.*

## ENGAGEMENTS

James Rennie, 'A Lady at Large.'

Ronald Brogan, Margaret Ormsby, Calvin Thomas, 'Escape This Night.'

Judith Allen, Ruth Belmore, Ada Sinclair, Anne Pendelton, Solon Harger, 'Merry ives of Windsor.'

May Marshall, James E. Corbett, Audrey Ridgewell, 'The Circle.'

Allan Hale, 'Whitcoaks.'

Leo G. Carroll, 'The Two Bouquets.'

Edgar Stehli, Catherine Doucet, Edward Fielding, Barry Sullivan, Katherine Deane, Philip Ober, Montgomery Clift, Leslie King, Francesca Lenni, Sandy Strouse, Dorothy Francis, 'Eye on the Sparrow.'

Will Lee, Michael Gordon, 'Gol n Boy.'

Lee Cobb, (Coast company).

## Shows in Rehearsal

**'Lady at Large'**— bert.

**'Gentlemen Need a Shave'**— ierce Power-Waters.

**'Man From Carlo'**— Todd.

**'Escape This Night'**—Robinson Smith.

**'Private Enterpri** bert Adams.

**'Eye on the Sparrow'**—Girvan Higginson.

**'The Circle'** (revival)— Brady.

**'Heartbreak House'**—Mercury.

**'Washington Jitters'**—Theatre Guild-Actors Rep.

## COAST 'BOY' RELIGHTS; LEE COBB IN CAST

'Golden Boy,' utes after the cur In Santa Barbara when Joseph reenwald dropped dead, resumed in that sland last Saturday (9) and opened in San Francisco last onday (11). Lee Cobb, who was in the original cast at and understudied the part, replaced after planing to the Coast early last week.

is operated by Homer Curran, Grisman, lessee of the Belasco, 'Boy' was originally produced by the Group theatre, which r ives royalties.

## Guild, Actors Rep Joint Subscriptions

Theatre Guild and Actors Repertory, jointly producing 'Washington Jitters,' have also temporarily merged their ticket policies. Guild's subscription season will be followed, it is hoped, by theatre parties promoted by the Repertory's audience-manager, Emily Brand. Latter is working with Toni ichael on promotion of theatre parties and has offices in the Guild headquarters for the run of the production.

Guild supplies office space and expenses, with the pair working on percentage for the run of this show, rather than the usual salary from the Actors Rep.

## Mrs. Skinner's Memorial

Philadelphi ,

Plans discussed here Thursday (7) for a memorial to Mrs. Otis Skinner by Charlotte Cushman Club, old actors' organization. Tribute will be in form of a theatre workshop in an old Elizabethan barn at Bryn Mawr College, alma mater of Cornelia Otis Skinner.

Cornelia returned to the scene of her first professional appearance, 14 years ago, the Hannah Penn House here, at the meeting of the Cushman Club Thursday. She did several monologs. Comes to Forrest April 18 in 'Edna, His ife.'

## *Equity Rules Change*

(Continued from page 49)

devised rules stipulating that the manager is required to prove the cut is necessary by submitting figures. Whether a general cut or the slicing of individuals in shows, the cuts boar is supposed to be consulted.

Equity, in notifying managers of the new rule, stated that the reason for its adoption was the numerous complaints that managers were approaching members individually, requesting they either take a cut or hand in their notices. Such tactics were declared to be an evasion of the rules and would not be tolerated. After setting forth the right of making a cut, according to set procedure, Equity adds 'we must insist on your co-operation. Your failure will compel us to take such action as will best protect our members.'

In former times it was the practice of some showmen to cheapen casts several weeks after opening, whether the show was successful or not. There were any number of letouts of those not having run of the play contracts, replaced by lower salaried people.

## 'VICTORIA' FIRE LAW BREACH TANGLES MGR.

San Antoni ,

John T. loore, manager the Texas, Interstate house, was charged Saturday (9) with violating the city building code by permitting chairs to be placed in the aisles during the one-niter of Helen Hayes in 'Victori Regina' last Wednesday (6). Skipper was released on a $25 bond approved by Chief of Police Kilday after the charge was filed in Corporati court.

Firemen are usually assigned to theatres here, but were called away long before curtain time when a freak hailstorm struck the Alamo City early in the evening. Fire chief is said to be burning plenty over the incident and threatened immediate arrests in case of any similar violations in the future.

## Atlanta Would Unload Tax-Default Theatre

tlanta, April 12.

City fathers are doing their best to get out of show biz, into which they were forced when City of Atlanta took over the Erlanger Theatre building on a tax ed because the owners were $34, in default of city tax payments.

All that remains to be done i Mayor William B. Hartsfield to approve an ordinance adopted last week involving the return of the Erlanger to the Investors' Finance Co. on payment of $20,000. Measure has the approval of council's tax committee.

Deal, however, is contingent upon consummation of satisfactory tax settlement ith Fulton county, which also has finger in Erlan r tax pi Erlanger, dark except for occasional touring legit company shows and occasional indie pic showing, is leased to W. F. Winccoft.

## 'Take' $16,000, Frisco

San Francisco, April 12.

'You Can't Take It With You,' continuing its run at the Geary, is having things pretty much its own way in Frisco. Only competish this week is Federal Theatre Project's 'Me Third,' which is also doing better than average biz.

**Estimate for Last Week**

**'You Cant Take It With You,'** Geary (2d week) (1,550; $2.20). Best thing this house has had in many a day; second week grabbed a trifle over $16,000, fine.

**WPA**

**'Me Third,'** Alcazar (3d—final week) (1,269; $1.10). Excellent biz; 'Judgment Day,' by Elmer Rice, is current.

## 'Mulatto' $3,500, B'klyn

Brooklyn, April 12.

'Mulatto,' with Leon Janney in the lead, got off to nice start last week at Werba's Brooklyn. Production is being held a second week. Maurice Schwartz' production of 'Brothers Ashkenazi' is due at the Parkway theatre for week's engagement starting Saturday (16).

**Estimate for Last eek**

**'Mulatto,'** Werba's Brooklyn (1st week) (1,500; $1.10). Got away to a satisfactory start, $3,500; stays this week.

## 'Road' 7G, Rochester, N.Y.

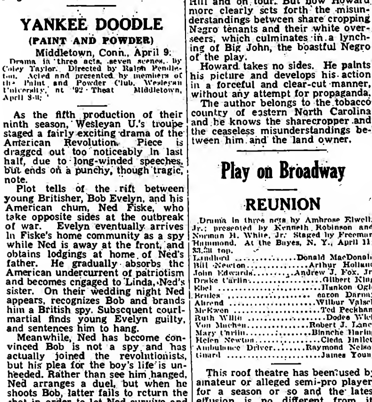
Rochester, N. Y., April 12.

Road company of 'Tobacco Road' played to a nice $7,000 gross at the Embassy here last week.

John Barton had the leadin in the show.

## Future Plays

'The orning Star,' by Ben K. Simkhovitch, has been sold to T. E. Hambleton. Hambleton was associated with Sydney Harmon in the production of 'Robin Landing.' Liebling-Wood agency handled the 'Mourning Star' deal.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# Blizzard Chills Chi; 'Room' $7,500, 'Ashkenazi' 11G, 'Star Wagon' Opens

Chicago, April 12.

Season's worst blizzard hit the town's two shows last week and didn't do either one much good. However, 'Room Service' managed to keep going despite the weather, while 'Brothers Ashkenazi' had the advantage of a 'last week' notice to keep its patrons coming.

Grand relights tonight ( uesday) with 'Star Wagon,' in for a three-week stay. While company arrived yesterday (Monday), it had been figured too close a shave to try for a Monday opening.

**Estimates for Last eek**

**'Room Service,'** Selwyn (7th week) (1,000; $2.75). Battled two days of slush and snow but managed to come through with $7,500, fair in face of cancellations dues to rough thermometer.

**'Star Wagon,'** Grand (opens tonight —Tuesday) (1,300; $2.75). Figures on good stay, has a fine advance.

**Added**

**'Brothers Ashkenazi,'** Studebaker (2d-final week) (1,500; $2.75). Closed Sunday (10) and scrammed towards the east on one and two-night stands; finished up on final week notice to better than $11,000, climbing quickly; had strong advance for second week, which accounted for biz despite weather.

**WPA**

**'Big White Fog,'** Great Northern. Negro show opened last Thursday (7) to good reports.

**'Great Barrington,'**
Near the end.

## 'NEVER KNOW' $25,000, PHILLY

Philadelphia, April 12.

There will be four legit openings here next Monday (18), the first time that has happened this season. Four shows to bow in are 'Private Enterprise,' tryout at the Erlanger; 'Pins and Needles,' at the Chestnut; 'You Can't Take It With You' (return), at the Locust, and Cornelia Otis Skinner at the Forrest in her solo-drama, 'Edna, His Wife.'

Current week is a total blank as far as legits are concerned, and the only entries listed for after Easter week are 'I Married an Angel' (Forrest, May 2); 'Tobacco Road' (Erlanger, May 9), and 'The Star Wagon' (Forrest, April 16).

**Estimates for Last Week**

**'Room Service,'** Locust (4th-final week) (1,400; $2.75). Back on third local visit, just staggered to $3,300. House is dark this week.

**'You Never Know,'** Forrest (2d-final week) (2,000; $3.30). Off due to the weather, but good under the circumstances; $25,000 for the windup.

## 'CAN'T TAKE IT' DOES $17,300 IN WASHINGTON

Washington, April 12.

'You Can't Take It With You' fell short of early indications which had boys ready to nail the S.R.O. sign to the marquee and keep it there, but second of two-week stand did pass the first and total was proof that Capital is a double stop for something with a rep.

Current is 'The Woman,' with 'Three Waltzes' to follow and 'Yes, My Darling Daughter,' due April 25.

**Estimate for Last Week**

**'You Can't Take It ith You,'** National (2-final week) (1,698; $2.75). Second week topped first to get approximately $17,300 for the windup.

## 'Daughter' $7,400 Week

Albany, N. Y., April 12.

Touring company of 'Yes, My Darling Daughter,' with Florence Reed in the leading part, wound up a split week here last Saturday night (9) ith a total gross of $7,400.

Troupe collected $2,500 for four performances at the Erlanger, Buffalo, Monday through Wednesday (4-6); $1,900 for a single showing at the Masonic Auditorium, Rochester, Thursday (7), and $3,000 for three performances at the Capitol, this city, Friday and Saturday (8-9).

## 'HOUR' $3,000, NEWARK

Newark, N. J., April 12.

'The Children's Hour' on its return engagement to the Shubert theatre did not arouse the interest which the first booking did. House is dark this week.

**Estimate for Last Week**

**'The Children's Hour,'** Shubert (1,960; $1.50). ublic remained apathetic to the second engagement; poor $3,000.

## Road Legit Grosses

tal grosses
........... $1 ,953
(*Based on 17 shows*)
**Total grosses same week last year** ............ $148,500
12 *shows*)

## HELEN HAYES $36,853, TEXAS

. April 12.

Helen Hayes continued her clean-up of the Southwest last week with her touring company of 'Victoria Regina.' Wound up a week's string of one-nighters for a total gross of $36,853 for the six days in five stops.

Dates included the Majestic, Houston, Monday and Tuesday (4-5); the Texas, San Antonio, Wednesday (6); the Paramount, Austin, Thursday (7); the Baylor Auditorium, Waco, Friday (8), and the Majestic, here, Saturday (9).

San Antonio, April

Helen Hayes' 'Victoria F one-niter at Texas theatre Wednesday (6) smashed all ex g roadshow b. o. records. Folding chairs and standees upped the take to nearly $7,000. All this was during freak hailstorm that did $250,000 damage in this area. House seats 2,736; $3.60 top.

Denver, April 12.

Because of the heavy demand for seats there will be an extra matinee performance of 'Victoria Regina,' with Helen Hayes, at the municipal auditorium when it shows here April 25 and 26.

First planned for one matinee and two nights, but Arthur M. Oberfelder, house manager, asked for the extra matinee after the seat orders started to swamp the b. o.

## 'WHAT A LIFE' HITS $3,500 IN BALTO TRY

Balti . April 12.

Town is currently dark, but a full lineup of bookings is slated to follow. 'Yes, My Darling Daughter' is set for Ford's, April 18. 'Three Waltzes' at Ford's and stock presentation of 'High Tor' for Auditorium are both due in April 25. Maryland, town's other legit house, will unfold the new Ben Gross-Charles Washburn 'Gentlemen Need a Shave,' early in May.

**Estimates for Last Week**

**'The Women,'** Ford's (1,900; $2.78). Good notices and gradually mounting trade brought $15,500; upper floors sold out well in advance.

**'What A Life,'** aryland (1,750; $2.22). Attracted favorable comment, but wilted in b.o. under competition, winding up with $3,500.

## Abbey $9,000, L. A.

Los Angeles, April 12.

Abbey Players wound up two profitable weeks at the Biltmore last Saturday (9) with house going dark for couple of weeks before Homer Curran's Coast 'Golden Boy' comes in.

**stimate for Last**

**Abbey Players,** Biltmore (2d—final week) (D-1,656; $2.20). Quite a little interest in repertoire of these imported players, and second week's take topped $9,000, plenty okay.

**WPA**

**'The Great Barrington,'** ayan. Toni Tree featured.

**'Brothers,'** Mason. Joseph Tomes and Anne Morgan top cast.

**'Aladdin,'** Hollywood Playhouse. Moved to Hollywood after successful downtown run.

## ' 11G, MONTREAL

Montreal, April 12.

George S. Kaufman-Moss Hart comedy, 'You Can't Take It With You' defied the Lenten lull here last week and pulled a fine gross. Pulitzer prize-winner had followed such clicks as 'Whiteoaks' and 'Yes, My Darling Daughter' at His Majesty's theatre. House is dark this week.

**Estimate for Last Week**

**'You Can't Take It With You,'** His Majesty's (single week) (1,600; $2.50). Comedy garnered a snappy $11,000, one of the best takes here in years.

## BOSTON TO RELIGHT WITH THREE TRYOUTS

Boston, April 12.

After starving for three weeks, Hub playgoers get a heavy serving of shows next weekend, beginning with 'Eye on the Sparrow,' new comedy by Maxwell Selser, starring Catherine Doucet, directed by Harry Ellerbe. It is slated to open on Broadway directly after an 8-day tryout here, beginning Saturday (16).

Another new one is 'The Man From Cairo,' adapted by Dan Goldberg, presented by Michael Todd, directed by Harry Wagstaff Gribble. 'Cairo' stars Helen Chandler and Joseph Buloff. Opens Monday (18).

'I Married An Angel,' new musical (Rodgers and Hart) presented by Dwight Deere Wiman, opens Tuesday (19). Federal Theatre is preparing another world premiere for the Empire, Salem, May 24. 'Created Equal,' and 'American Chronicle in 31 Scenes,' by John Hunter Booth. Historical piece will trace 'growth of the American spirit' from 1776 to 1938.

## 'CAESAR' $7,500; ST. L.'S 300G SEASON

St. Louis, April 12.

Local legit season of 22 weeks ended last Saturday (9) with the closing of the modern version of 'Julius Caesar.' Did nice biz despite atrocious weather. Four days of rain and another of snow, and sleet cut down the take below the five figure mark.

Helen Hays in ictoria Regina' copped $30,000 for the banner week of the most successful locally since 1930. Season total was approximately $300,000. 'You Can't Take It with You' was runner-up to 'Victoria' with $22,000 in a week's run. Only four shows, 'Ethan Frome,' 'The Abbey Players,' 'Tonight at 8:30' and 'Caesar' drew less than $10,000 for a week's stand.

Much of the success of the season was due to the Playgoers of St. Louis; was formed last fall by a group of natives to bring legit back to its own in this town. Supported by Mayor Bernard F. ickmann, a campaign was held that enlisted 700 playgoers who pledged to purchase two tickets for each performance presented at the American Theatre, the town's only legiter. Plans will soon be launched to increase the membership in the Playgoers to 1,500 by the time the 1938-39 season starts.

Top plays was another contributing factor to the success of the season and Paul Beisman manager of the American, pointed out that eight shows appeared here before being presented in Chicago or New York. Those that preceded Chicago showing were 'Tovarich,' 'Yes, My Darling Daughter,' 'Tonight at 8:30,' 'Stage Door,' 'Room Service' and 'Richard II.' Natives got a glimpse of 'Doll's House' and 'Yr Obedient Husband' before they hit New York. 'Tobacco Road' and 'Brother Rat' were repeat shows and both did nice biz.

Profits of the season were cut down by six dark weeks due to shows skedded for the American being h.o. in Chicago or New York.

**Estimate for Last eek**

**'Julius Caesar,'** American (single week) (1,707; $2.50). Closed the 1937-38 season Saturday (9) with take of $7,500 for nine performances.

## 'Rat' Fair $7,500, Det.

Detroit, April 12.

Return engagement of ' rother Rat' last week at the Cass didn't endanger gross hung up on first showing earli in the season, but managed to grab arou $7,500 for a fair session, in view of street-car strike and pre-Holy Week siesta.

Advance sales okay for Walter Hampden's 'Ethan Frome,' current at Cass, with school teachers expected to save the day during Holy eek school recess.

**Estimate for Last Week**

**'Brother Rat'** Cass (1,400; $2.75). Trolley strike and pre-Easter lull didn't help return engagement any, but managed to get around $7,500 on nine performances.

## 'Daughter' $8,100, Toronto

Toronto, April 12.

'Yes, My Darling Daughter' (No. One company), with Lucille atson, pulled fairly satisfactory business at the Royal Alexandra theatre here last week.

Considering and weather, the

# B'way Gets Three More Revivals; Lunts 20G Again Top New Entries, 'Susan,' 'Borrowed' Each Cop $16,000

## B'way Legit Grosses

**Estimated total grosses last week** ........... $232,500
on 21 shows)
**l grosses same week t year** ........... $288,300
(*Based on 22 shows*)

Flock of touring shows are laying off this (Holy) week, but Broadway's list is intact. Offish business that has pertained to some shows is expected to perk up at the weekend, with the combination holidays—Easter and the Jewish Passover, which falls on Friday (15).

Nature of the spring offerings is changing. Earlier indications were that fewer revivals would be tried, but two open this week and another arrives next week for a total of six. Three others have been on for some time. As yet there are no definite Gilbert and Sullivan plans, save those of the WPA theatre project.

One of the revivals, 'The Sea Gull,' again got best money among the straight shows, with the limited engagement announced probably helping. As for the run shows, 'Susan and God,' which eased off to $16,000, and 'On Borrowed Time,' which again approximated that figure, are the tied toppers.

Shows, including 'Time,' which held to form last week included 'Once Is Enough,' which got $11,500 or better. 'Our Town' might have gone to a new high, but missed two nights because of illness in the cast. It was quoted around $11,000 regardless.

No show has been selling out and some are on the edge of closing, including one or two which are expected to figure in the several prize awards which benefit the winners. Two long-run presentations will leave after another week—'The Women' closing at the Barrymore and 'Brother Rat' exiting from the Ambassador. House is the fourth theatre which has had the latter comedy.

Next week 'The Circle' will be revived at the Playhouse; 'Escape This Night' is due at the 44th Street and the WPA slates 'Trojan Incident' at the St. James.

**Estimates for Last eek**

**'All the Living,'** Fulton (3d week) (D-913; $3.30). Gradually improving and may make the grade; despite weather, takings were estimated over $7,500.

**'Bachelor Born,'** Lyceum (11th week) (C-957; $3.30). While not among leaders, business steadily profitable and run chances good; slightly affected last week, but around $10,000.

**rother Rat,'** Ambassador (69th week) (C-1,156; $2.20). Last two weeks; goes to Brooklyn for possible run; business down around $4,000 mark.

**'Golden Boy,'** Belasco (23d week) (C-1,000; $3.30). Slightly under-estimated; advance sale bolsters summer holdover chances; takings last week rated around $12,500.

**'Hooray for What,'** Winter Garden (19th week) (M-1,671; $4.40). Had to get heavy trade Saturday (9) to approximate $20,000; but major musical should turn profit at that level.

**'I'd Rather Be Right,'** Alvin (23rd week) (M-1,355; $4.40). Will probably climb back to big money after this week; somewhat off again last week with gross around $24,000.

**'Of Mice and Men,'** Music Box (20th week) (D-1,019; $2.75). Has been slipping; highly regarded drama also may show improvement after Easter; under $6,500 last week.

**'On Borrowed Time,'** Longacre (10th week) (D-1,019; $3.30). Tops the winter crop of winners with the gross around $16,000; sells out most rformances.

**'Once Is Enough,'** Miller (8th week) (C-944; $3.30). Exception last week when business held up with takings again approximating $11,500; good in agencies.

**'Our Town,'** Morosco (10th week) (D-961; $3.30). Missed two nights because of star's (Frank Craven) illness; might have reached new high; gross of $11,000 regarded very good.

**'Room Service,'** Cort (47th week) (C-1,064; $3.30). Split scale now on lower floor with part of such lo ations $2.20; business again around $6,500.

**'Schoolhouse on the Lot,'** Ritz (3d week) (C-918; $3.30). Improvement claimed last week with second Sunday night better; rated around $6,000 and probably some operating profit.

**'Shadow and Substance,'** Golden (11th week) (D-789; $3.30). Again close to $13,000 for imported drama, which approximates capacity most performances.

**'Susan and God,'** (27th week) (CD-1,100; $3.30). eather hurt last week when takings were $16,000; lowest gross to date, but recovery indicated after this week.

**'The Women,'** Barrymore (67th week) (C-1,048; $3.30). Business as good as previous week, with takings topping the $11,000 mark one more week.

**'Tobacco Road,'** Forrest (226th week) (C-1,107; $1.65). Dipped off but still in the running and indefinite; long run drama rated around $4,500.

**'You Can't Take With You,'** Booth (69th week) (C-708; $3.30). Eased off somewhat last week, with the gross dipping under $10,000 mark; still tops the holdovers, however, and indefinite.

**'What a Life,'** Biltmore (C-991; $3.30) (Opens tonight—Wednesday). Presented by George Abbott; written by Clifford Goldsmith; Baltimore liked it.

**'Whiteoaks,'** Hudson (2d -1,094; $3.30). Excellent accounting for goodly taki gagement will enter summer $10,000.

**Added**

**'Pins and Needles,'** Labor Stage (17th week) (R-500; $2.75). Labor unionists riding high with favored revu in small house; again Sunday performances with No. Two company; $9,000 estimated.

**'The Fireman's Flame,'** Music Hall; hoke meller spot.

**evivals**

**'Merry Wives of Windsor,'** Empire (C-1,099; $3.30) (Opens tomorrow-Thursday). Presented by Robert Henderson and Estelle Winwood.

**'The Wild Duck,'** 40th Street 710; $3.30) Opens Friday (15). sented by Henry Forbes.

**'The Sea Gull,'** Shubert (2d week) (D-1,387; $3.30). Excellent attendance for limited engagement with better than $20,000 indicated again.

**'Julius Caesar'** and **'Shoemaker's Holiday,'** Mercury (22d week) (622; $2.20). Rated around $7,000, which is good; latter show goes out after one more week.

**'A Doll's House,'** Broadhurst (15th week) (1,116; $3.30). Steadily slipping, with last week's gross around $6,500; probably off after next week.

**WPA**

**'One Third of a Nation,'** best of relief shows.

**rologue to Glory,'** play doing very well.

**'Haiti,'** Lafayette, Harlem; dra satisfactory.

## PITT'S CAMPUS SHOW VERY LIGHT AT B. O

Pittsburgh, April 12.

Nixon had a breather last week with University of Pittsburgh's annual Cap and Gown musical, 'Pickets, Please,' only break in long steady list of touring attractions which will wind up legit season late in May. College show got little a tion at b.o., window sale being limited to less than $1,000, tickets for the most part being disposed of through student body on cam us and alumni organizations.

Not much outside interest in show, which was one of the poorest Cap-Gown ventures in some time. Cricks, however, bent over backwards to be as kind as possible, usually the case with these enterprises.

Nixon currently has 'Yes, My Darling Daughter,' last of ATS subscription plays and first in years legit spot has flirted with Holy Week, and then gets 'You ever Kno ,' return of 'Tobacco oad,' 'Three Waltzes' and 'I Married An Angel' in order named. 13 tentative closing date althoug ossibility of touring 'Pins and Needles' and 'Room Service' again coming in after that.

**Estimate for Last Week**

**'Pickets, Please'** (Nixon; 2,100; $2). Not much outside action for annual of Pitt Cap-Gown musical, tickets going chiefly through student groups and alumni organizations. oubtful if more than $1,000 came in through window sale.

Raleig

The Raleigh Little soon have its own home, with wor shop and outdoor amphitheatre.

ith civic and WPA aid, the Little Theatre will construct a $10, 0 theatrical center in the infield of the ol State fair round race track.

### Plays Sell Like Novels

Random House has made a very profitable business of its play publishing. Best all around seller is Eugene O'Neill, whose published plays sell as well as novels. 'Strange Interlude' has sold 100,000 copies and 'Mourning Becomes Electra,' 70,000. Recent publications include the Kaufman-Hart musical, 'I'd Rather Be Right,' which has sold about 7,000 copies. 'The Women,' by Clare Luce, has sold about 5,000. Plays by Clifford Odets and S. N. Behrman are also reported as good sellers. 'Tovarich' and 'Bury the Dead' have also done well in published form.

Publishers have an arrangement with booksellers which makes it possible for books to be on sale within two weeks following opening night on Broadway, if everything clicks smoothly. Bookstores have standing orders for all Random House plays, and are permitted to return unsold copies in exchange for newer publications. Plays are gotten out attractively and more salable than in paper cover form. Hinterlands are also reported having a rising and avid interest in Broadway productions with some readers having standing orders of every play published.

### Foto Skips June

Foto, the Dell publication, ill skip its June issue and henceforth appear bi-monthly. Publication will appear on July 10.

Idea is to see how sales go in the future and watch trend of the photo mag industry carefully for future developments.

### 'Lone Ranger' Book

'Lone Ranger and the Mystery Ranch,' a 65,000-word book by Fran Striker, author of 'Lone Ranger,' WXYZ-MBS serial, is due off press of Grossett & Dunlop, N. Y., in coupla weeks.

Story is first inside story giving background of ether and film 'Ranger,' how 'Ranger' originated and why he masks himself and travels as he does.

### Reprinting Fellows

Halcyon House has published a new edition of 'This Way to the Big Show,' the reminiscences of the late Dexter Fellows, originally published by Viking Press at $3.50. The book enjoyed a fairly good sale at this price, but the tag was a bit too heavy for the average circus fan, and the Halcyon edition will be priced at $1.49. Same book, same illustrations, but a more flashy jacket designed to catch attention.

By some tall hustling the reprint is released coincident with the arrival of the circus season, which is expected to help the initial sale. Mrs. Fellows will participate in the royalties.

### Gambling Losses Allowed

Gambling transgressions of Eugene Delmar, scenario and magazine scribbler, were forgiven last week by the Board of Tax Appeals because the writer 'hoped to make a profit.'

Delmar's sad experience at Agua Caliente, exican gambling resort, where he and his novelist wife, Vina Delmar, celebrated New Year, 1933, netted him a $1,200 deduction. While Delmar's losses at chemin de fer won the sympathy of Uncle Sam, the tax board refused to knock off $300 his wife lost at roulette. No testimony that she hoped, or expected, to make a profit.

Pair were allowed a further deduction of $2,843 which they spent in Hawaii, Palm Springs, Calif., and Encinitas, Calif., gathering 'atmosphere' which they claimed was necessary for their stories.

### Literary Agent Took It Seriously

Literary agents are likely to watch future prize novel contests more closely than in the past as a result of the award of the $10,000 Dodd, Mead-Red Book contest won by Elizabeth Siefert for her book 'Young Dr. Galahad.'

Of the 1,000 manuscripts submitted hers was the only one turned in by an agent. Lurton lassingame handled.

### Hollywood Guild Situation

Hollywood Citizen-News, unit of the Los Angeles Newspaper Guild, first chapter to go guild 100%, so far has no contract with Judge Harlan Palmer, publisher. Unit also has Roger Johnson on its staff, Guild's first president, who successfully negotiated contracts with several downtown dailies.

Publisher has been stalling for months and because of his liberal editorial attitude the Guild has been reluctant to talk strike, but the staff is plenty sore now because he has tossed a lawyer into the arena who had given the Guild a lot of trouble in disputes in Glendale.

Glendale strike was averted when the publisher gave in a few hours before walkout was due, and for Palmer to be employing the same attorney doesn't look so good to the Guild. So far, though first in the field, Hollywood Citizen-News staff have gained nothing from their Guild membership. Rest of daily staffs have made nice gains.

### Tax Colo. Authors' Royal 2%

With the state contending that a 2% surtax must be paid on royalties received by writers, many of the scribblers are threatening to move from Colorado to some other state. As the law is now interpreted, writers must pay income tax on such revenue if above the exemption, and then on all royalties must pay also a straight 2% tax.

Officials of the Colorado Authors' League id that more than 100 writers might leave the state if the ruling stands, but State Treasurer Homer F. Bedford advised the writers to make a complaint before 'getting mad and moving from the state.' He indicated that the income of many writers might be exempt from the surtax which the law says applies to royalties.

### Harpers Sues on Book

Harper & Bros. filed suit onday (11) in N. Y. Federal court for an injunction to stop Famous Books, Out-Of-Town Newspaper Sales Corp., International Book House Corp., and the latter fir icers from selling and distributing copies of John Dickson Carr's story, 'It Walks By Night.'

Plaintiff corporation also wants an accounting and damages on a large number of copies which, it is claimed, the defendants purchased from an English firm and shipped to the United States and sold here and in Canada. Harpers claim they obtained the American sales rights to the book in 1929.

### That Nutmeg Paper

May 16 is skedded appearance for Vol. 1, No. 1 of Connecticut Nutmeg, new weekly to be published in New Canaan. Publishing corp. headed by George T. Bye, president; Heywood Broun, v.-p.; Colvin Brown, treasurer, and Ursula Parrott, Stanley High, Gene Tunney and Quentin Reynolds, directors. John Erskine, Jack Pegler and Frederick S. Tisdale also have stock.

Policy of pub, announced by Reynolds and High, promises sheet 'well written at all times, never dull,' and 'that any of the owners shall have equal right to express his opinion, and that any other share-owner may contradict him if he likes.' roun made it clear at organization meeting that no competish with neighboring papers was intended, 'Nutmeg being concerned more with spiritual values.'

Broun will write column on nature and Miss Parrott distaff. No help wanted for some time.

### Ken Story Plagiarism

Ken's first issue contained a story by John Angus Haig dealing with the refusal of airlines to install parachutes, which is similar in content to a story which appeared in the American Mercury in 1935. It was so similar that Ken sent $200 to Kenneth Collings, author of the Mercury article, through Ed Bodin, his literary agent.

Esquire mag had a similar experience when it accepted a story which was a lift on Ambrose Bierce by an aspiring hinterland author. Esky's embarrassment was heightened by the fact that they heralded him as the discovery of the month.

### Staff Feeds the Boss

Man bit dog in Pittsburgh last week when more than 600 employees of morning Post-Gazette got together and tossed a banquet in honor of their publisher, Paul lock, on the occasion of opening of paper's new building. It was a mark of appreciation, men told him, because he had taken them out of a rickety old firetrap and installed them in the safest, most up-to-date plant.

Block was presented with a bronze plaque by the staffs and, recalling various changes in newspaper ownerships here over last 20 years, told gang they could rest assured that he would never sell out in Pittsburgh.

### Aley's Agency

Ruth and Maxwell Aley have formed a new literary agency. Latter was formerly editor of Longmans, Green and his wife have previously been literary agents. Offices will be opened in New York about ay 1.

### Literary Kilowatter

Radio station in a hick midwest town describes one of its sustaining fill-ins in the following language:

'Joe Glutz, our ace book reviewer.'

### Life's 'Btr

Life magazine was suppressed last week in more than 10 cities and some communities. Basis for the action was the publication of scenes from the film 'Birth of a Baby.' ost of the bans were issued by police chiefs, who prohibited sale of the magazines on newsstands. It is generally viewed as the first instance in which a magazine of such wide circulation came under such an extensive ban. All trouble, however, was in eastern states, principally in New England, only one case of suppression being reported west of the Mississippi.

Officially Life regards this as a follow-up on its health series and previous treatment of cancer, pneumonia and tuberculosi From a trade point of view, it was thought in many quarters that the editors have not overlooked the exploitation angles. All subscribers were individually tipped off with a letter warning parents that they could remove the four pages covering the subject if they chose to do so.

One curious result was the bringing together of the N. Y. Society for the Suppression of Vice and the anti-censorshi forces, which usually never see eye to eye, but did in this case, both groups commending the material.

In some communiti citizens crossed imaginary boundary lines to secure copies. Some newspapers played down the story, thinking it might be a promotional stunt. Reports from some quarters were that many of the newsstand chases were made by children.

Life was well prepared before publication to fight suppression efforts. Highest-grade medical and lay testimony to the excellence of the film and pictures was secured, and released immediately, once trouble started.

Roy E. Larsen, publisher of Life, sold a copy of the magazine in the Bronx, N. Y., where the publication was banned, to make a test case. He is booked for trial next Tuesday (19).

### Newsboys' Union

Suspension of all Philly dailies is threatened by walkout of the newsboys. Hawkers, who have recently been organized into News Carriers Union, A. F. of L. unit, voted last Sunday to authorize their exec committee to call a strike whenever time is considered expedient unless they get their demands.

They are asking publishers for a closed shop, recognition of the union as sole bargaining agency, price of $1 per 100 papers instead of $1.33, as at present, and a guarantee of $1.50 per day.

Hymie Pockrass, prez of the union, has made an agreement with Newspaper Truck Drivers Union, which will keep latter group from handling papers in event of a strike by the boys. This will completely tie up the sheets.

### $200,000 Suit Vs. Time

Pierre Van Paassen, war correspondent and lecturer, filed suit in N. Y. supreme court yesterday (Tuesday) against Time, Inc., for $200,000 damages for alleged libel. Plaintiff objects to paragraph published in Sept. 6 issue of Time mag which intimated that the writer had 'suddenly gone anarchist, stopped writing and finally disappeared' while covering the Spanish conflict for the Toronto Star. He complains article was malicious and gave the impression he was advocating violent overthrow of government.

Time answered the suit with denial of maliciousness or that the item had hurt the newspaperman's rep. It points out Van Paassen was let out by the Star.

### LITERATI OBITS THIS WEEK

**Samuel T. Potts**, 33, Church and Fraternal Editor of the Norfolk (Va.) Virginian-Pilot, died of a heart attack at his home Friday, April 8.

**William G. Stiegler**, 57, dean of Cincinnati critics, died April 6, two days after being stricken with a cerebral hemorrhage, in his office at the Times-Star, of which he was drama and motion picture editor since 1920.

### CHATTER

Stage mag has recently sliced its staff.

Harry Bull, editor of Town and County, on vacation.

Newark Ledger awarded the N. W. Ayer cup for best makeup.

Robert W. Dana follows in Marguerite Tazelaar as assistant film critic at the N. Y. Herald-Tribune.

Knopf is publishing ex-Austrian chancellor Kurt Schuschnigg's book with an introduction by Dorothy Thompson.

Hazel (Mrs. Elmer) Rice to Bermuda for a vacation. She is active in the Nat'l Council on Freedom from Censorship.

George Ross, of the N. Y. World-Telegram, and Al Margulies, of Gaumont-British, putting the finishing touches on a book.

Fred Keating will be m.c. for the entertainment at the Front Page Ball in N. Y. (22), the annual newspaperwomen's party.

Collier's assigned Dorrell and Stuart McGowan, screen playwrights, to dish up a personality yarn on Gene Autry.

Hans Mueller's wood engravings will be exhibited at the PM Gallery in N. Y. He is a refugee who formerly taught at Leipzig.

Hee Chevigny's 'Lost Empire' has been nominated for the Pulitzer historical award. He is writing radio continuities on the Coast.

John O'Hara doesn't know how long he'll stay in Paris, but it won't be a full year. Sailed last week. Depends on how much work he does.

Groverman Blake has been appointed amusements editor of the Cincinnati Times-Star, succeeding William G. Stiegler, who died April 6.

Reader who got confused reading Elmer Rice's 'Imperial City,' novel with 120 interlocking characters sent Coward-McCann, the publishers, an index for the book.

Collier's Quentin Reynolds has a two-part story on 'The Amazing Selznicks' coming up. First take is wholly on Lewis J., the father; second on Dave and Myron.

Bradley Slack, publicity director of Pittsburgh Playhouse, going to tour Europe on a bicycle this summer and write his impressions for a group of Ohio newspapers.

Will James, after six months at Victorville, took his boots, saddle and typewriter back to Montana, where he hopes to finish one, a year overdue, for Scribner's.

John Young Kohl, city editor of the Allentown Morning Call, has written a play, 'Perchance to Dream,' which was presented by Civic Little Theatre of Allentown.

Lee Hills, formerly associate editor of the Indianapolis Times, has been made editor of the Oklahoma News, Scripps-Howard daily. Succeeds R. T. Fredericks.

Charles S. Salomon, on the N. Y. Herald Tribune since 1903, possibly the dean of N. Y. reporters, will be tossed a testimonial dinner on May 19 at the Hotel Astor, N. Y.

George Antheil, Par composer, and Morton Thompson, ex-Metro publicity man, are planning a tour of Russia next month, and lining up a syndicate to take their stuff.

Robert Speaight, who played the role of Thomas a Becket in 'Murder in the Cathedral,' has written a bio of St. Thomas of Canterbury which Putnam's will issue this month.

Martin Kamin expects to issue a new dance quarterly next fall. It will be a scholarly publication with national sections, designed to appeal principally to students of ballet.

Guy McLaren has written 'Merrily We Roll Along,' recollections of a Chautauqua trooper. Book contains picture of Edgar Bergen and his dummy in his early days as a performer.

Josephine Louise Byrne, wife of Congressman William T. Byrne of Albany and a contributor to poetry and literary magazines, is by-lining a Washington letter to Hearst's Albany Times Union.

Jane Hall, Metro scenarist, is doing an article for June issue of Cosmopolitan on the Culver City studio's picture, 'Three Comrades,' her yarn covering both personalities and production highlights.

Mari Canel, in charge of Max Factor publicity in Hollywood for national mags and newspaper beauty eds, resigned after six years. Heading east the end of the month before starting writing a Hollywood fan mag column.

'Forever Ulysses,' by C. P. Rodocanachi, originally serialized in a Greek newspap r, is reported banned there in book form. Canadian officials recently put a temporary ban on the book, thinking it was the James Joyce 'Ulysses,' but this was promptly lifted.

## House Reviews

## EARLE, PHILLY

(Continued from page 46)

pleasing, although arrangements only fair. Weakest point is lack of s.a. Do 'Stardust' and then 'Loch Lomond' in the original, followed by swing version.

Condos Bros. (2), tappers, do swell precision routines well. Then do one seated. Would be better to cut down time and save something for the encore.

Rounding out bill is Wynn Murray, hefty warbler from 'Babes in Arms,' legit musical, who's fair. Starts off with 'I Was Born to Swing,' goes into 'Please Be Kind' and ends up on 'Johnny One Note.' Act a little too long. Curtain is Happy Felton and Reasons doing 'When You're Smiling.' *Herb.*

## PALACE, MPLS.

*Minneapolis, April 10.*

*Carl Johnson's orch (7), Bill Austin, Hazel Mack's Merry Macks (7), Don & Patricia, Rose Marie, 'Snooze' Kinkard, Mary & Helen, Frank Dobson & Nella Burk ; 'Hollywood Stadi m Mystery' (*

Palace plays vaudeville weekends at 20c admission and the entertainment this week is just that low. Most of the acts are local. Bill Austin, m.c., Hazel Mack's line of seven girls and 'Snooze' Kinkard, comic, are playing indefinite engagements. Mack and Kinkard, formerly of burlesque, have worked for years in local night clubs.

Bright spot is the headliner, the veteran Frank Dobson, who appears next to closing and gets the only heavy applause. Carl Johnson's seven-piece orchestra in the pit is decked out as a hillbilly group, interspersing singing and comedy with its playing to start the ball rolling. Austin introduces each number, gets by in a couple of pops and works with Kinkard and a stooge in a mildly funny skit. Miss Mack and her seven girls do some pleasing stepping, Don and Patricia, adagio dancers, following with a conventional routine. Then comes Rose Marie, from the line, presenting a Spanish fandango with castanets.

Kinkard's grotesque makeup and dialect is too drawnout comedy and short on laughs. Mary and Helen, also from the line, contribute swing dancing, after which Austin vocalizes.

Dobson works hard and puts his rather ancient stories, gags and songs over well, though some of his material is extremely bluish. Nella Burke assists at the piano and also vocalizes. Dance production number, with Don and Patricia and the line girls, close show. A holdout at the first night show Saturday (9) *Rees.*

## Roxy, Salt Lake City

*Salt Lake City, April 10.*

*Gene Straub, Perry Bros. (2), Edgar Vernon & Co., Barbara Lee, Ward & King, Allen Speer & Day Sisters, Dave Monahan, Bill Floor's House Orch; 'Criminal Lawyer' (RKO), 'Hit Parade' (Rep).*

Salt Lake City's lone vaudfilmer has a punchy 50-minute standout stage fare, with a couple of standouts.

Ward and King, headliners, warrant billing. Ward, male member of mixed juggling team, however performs the lion's share and it's been months since patrons palm-patted so sincerely for such a stint.

Ward's agility in juggling six bicycle tire rims is forte. Miss King gets off well through variety of acroterps. Effective climax reached when after a series of leg splits and tumbles. Ward solos through additional juggles and has to beg off.

Curtain upper following Bill Floor's house band, on stage, is Jim Peery, n.s.h. as an m.c., but good i a dance and patter act with his brother. Gene Straub, banjoist, socks with a smooth 'Poet and Peasant' after three previous so-so pops.

Edgar Vernon, whose Bergen-McCarthy bit rates, also mimics radio stars. Unbilled gal engages in some archaic banter with Vernon's 'dummy' which can be spruced in parts. Gal also sings in mediocre style.

While her soprano pipes aren't fitted for swing, Barbara Lee fares well on 'When I'm Calling You.' Straub encores well with her on 'I Double Dare You.'

As a team, Perry freres go over, especially when simulating a boxing lesson in tap delivery. Act, however, is too long in proportion to the others and several minutes of dated gags could be trimmed. Allen Speer registers solidly with contortionist terping. Day Sisters, warblers, are eye-openers but mike technique off on 'My Man.' Marimbaphoning is Dave Monahan's specialty and he sells classily. Unbilled girl also has a turn on the instrument, but it's the man who's a natural. *Guss.*

## Broadway

argaret Pemberton has a leg infection.

Warren O'Hara joined the Tl c-Coy circus staff.

The John Byrams sail ay 6 for a Paris and London o.o.

George West and the missus back from Hollywood by auto.

Montague Gowthorpes left Friday (8) on a Bermuda vacash.

Blutch Stone managing fighter on tonight's Hippodrome card.

Allan Jones did a big autograf biz at Loew's State stagedoor this week.

Max Siegel, who switched from Metro to Warners', in town on visit.

Mary Morrisey, sec to Jock Whitney, due in from the Coast this week.

Harold M. Goldblatt moved his theatrical law office to Paramount Bldg.

Struck by auto, sister of Ed Lenihan died Sunday (10) of fractured skull.

Charli ing, vet musical comedy singer, playing private club dates.

Al Tamarin now associate-p. a. with Emmanuel Eisenberg for ' ll the Living.'

Quite a Broadway contingent to New Haven tomorrow for the 'I Married an Angel' preem.

Nat Kalcheim nursing a bad shoulder from too much handball. Was home for couple of days.

Dorothy Ross back p.a.'ing after giving birth to a son. She's Mrs. George Ross (World-Telegram).

George D. Lottman's key city trek, embracing 10 spots, to appoint publicity representatives in each local stand.

Ella itzgerald and Chick ebb perform for kids of Riverdale Orphanage, colored home, on Easter Sunday.

Lynn Murray, CBS musical director, left early this week on a cruise to the West Indies. His wife accompanied him.

Gertrude Selig, Mort Blumenstock's sec at WB appeared in a snooty fashion show at the Barbizon Plaza Sunday (10).

Emily Holt, executive-secretary of the American Federation of Radio Artists, has laryngitis and out of the office a few days.

Kin Platt, cartoonist-writer at Metro, has returned to Hollywood with his bride of two weeks, the former Ruth Begler.

Harry Royster, who has been on extensive tour for Paramount, contacting theatre partners of the company, is back at the h.o.

Wilma Freeman, in charge of publicity promotion for Warner Bros. returned to her desk Monday (11) after hospitalization with sinus.

Local 4, International Theatrical Stage Employees (Brooklyn chapter), holds its 50th anniversary ball at the St. George hotel, Bklyn, April 19.

Phyllis Welch, stock-legit actress, who went to the Coast after Metro screen test, has been signed for three years by Harold Lloyd producing unit.

Moe Gale reported to have turned down two weeks at $750 weekly for Rose Marie in Cincinnati nitery. Wants to keep her on her NBC sustainer.

Sam Snider, of Snider-Dean circuit in Australia, recovering from flu at Gotham hotel. Taken sick shortly after he arrived in New York from the Coast.

Paul-Charles Biver, of France-Amerique Films, distributor in France, expects to remain in New York until April 27. In U. S. on product deals.

Jack Dempsey has inaugurated a series of Sunday cocktail sessions at his newest Broadway bistro. He and the Missus, the former Hannah Williams, presided at the initial party Sunday (10).

Tom Smizzi, accountant in Universal's home office, made his stage debut last week when he sang a principal role in 'Rigoletto,' at the Hippodrome. Went on about two weeks after auditioning.

Testimonial dinner by a group of Irish-American notables in honor of Paul Vincent Carroll, Sara Allgood and Dudley Digges at the Astor hotel last Sunday (10).

Report on conditions in the Far ::s: and Europe will be made by H. B. Allinsmith, manager for Western Electric Co. (Orient) Ltd., on his present visit to the home office in New York. He came in last week after a trip through the Orient and the continent. Allinsmith has been located at Tokyo for Western Electric since 1935.

## Pittsburgh

**By Hal Cohen**

Clarence Eisemans to Atlantic City for a short vacation.

Duquesne Garden getting a rodeo for 10 days on April 28.

Sally La Perch picked up here by Gene Krupa for his new band.

Mrs. John Harris and son home again after wintering in Hollywood.

Joe Haymes losing his drummer, Sam Parker, to Larry Clinton's outfit.

Howdy Baum's orchestra sticks at the Schenley Hotel until June 1 at least.

Pla ing his hands to scripting these days.

Lou Smith in town for a few hours when bad weather forced his plane down here.

Joe Sala convalescing in hospital after an emergency operation for appendicitis.

John Finley now in Bedford, Pa., where he's managing a house for the Dipson chain.

Fredcrick Burleigh opening summer theatrical season at Cohasset, Mass., July 4.

C. J. Latta brought back lots of film from Florida to substantiate his fishing claims.

Eddie Peyton back from Florida and reopens his Stubenville Pike nitery Frid.y (15).

Dave Schooler comes to Stanley Friday (15) to m.c. Allan Jones-Sheila Barrett show. ?

Mrs. Harold Bloom here from New York for few weeks' visit with her brother, Joe Feldman.

Etzi Covato back from Atlantic City where he's been dickering to place his band for the summer.

John Maloney speaks at Pennsylvania College for Women's visual education conference late this month.

Irene Lee, just named story editor for Warner's on the Coast, from Pittsburgh, and former stock actress here.

## *H'wood Jesters*

(Continued from page 1)

whose ribs you tickled last week is out on his ear t ay.

Court jesters didn't have that problem to solve. They knew they could give everybody but the king the works. But in Hollywood more guys have got the finger on them for creating laughs in the wrong places than ever got jobs for timing their shots correctly.

Only m.c. who called them as they came and didn't suffer for the laughs he produced was the late Will Rogers and he was so much in the money that the producers were working for him, rather than vice versa.

Hardest worker in this field recently was George Jessel and he got nowhere rapidly. In the end he begged off from m.c.ing the Academy dinner as being just too too Chinese. Frank Fay was another who went great guns at the banquet table only to find that he had stepped on some producer's toes and was thereafter persona non grata.

Willie Collier, among the best and kindliest m.c.s, hasn't broken down from overwork in studios, though hardly a banquet comes along but what he has to t to say no in a nice way.

Joe Cunningham, Bugs Baer's co-worker on the west coast, has ducked the honor pretty consistently, but now and then he has taken on his old cap and bells and clowned on the square. But he hasn't been overworked in studios either in return for his gratuitous labors around the groaning board.

### Wooden Patsy

Edgar Bergen has been moving into the lethal chamber of after-dinner entertaining, ut he has an 'out' in Charlie McCarthy. McCarthy is a sort of king himself and can therefore do no wrong.

Bob Burns also has been finding himself much in demand and has been trying to find the Rogers formula of insulting them in a nice way. Like McCarthy, having come from radio, he feels he always has that to fall back on if he gets into too many producers' doghouses for creating laughs for those who have eaten not too wisely but too well.

Old grads of the Lambs, riars and Players often gather around to wax comic over the coffee and cigars, but all of them to a man respect the sacred cows of Hollywood and pull their punches in the presence of these elders. The result is that Hollywood dinners run higher as to price and lower as to levity than even state dinners of the British cabinet.

Funny fellows among the younger set duck these dinners as they would the pox. They learned long ago to say nothing, but to laugh at everything. Producers on hearing their own Class D gags produce bellylaughs from internationally known humorists have been known to lift options within the hour, believing that if they could make such wags laugh they must be good.

One such humorist, a gal, figured her synthetic bellylaugh had grossed $525,000 in 10 years. It took eight years for it to wear out in one studio alone.

All know only too well that all humor must hurt somebody, and that even supervisors have feelings, especially ill-feelings, so they'd rather not say funny things which, later, they would be sure to regret.

## London

Afrique off to Africa July 8 for 10 weeks. Then returns to New York.

Carroll Levis wanted by Universal Pathe as special commentator for newsreels.

Dorothy Fox back to New York to play another 20 weeks at the Rainbow Rooms.

Guy Middleton, back from New York, rejoined London cast of 'French Without Tears.'

Will Hays to the south of France for brief vacation following completion of his filming in 'Convict 99.'

Before sailing for New York, John C. Wilson tentatively booked return passage on the Aquitania, April 28.

Tim Whelan and wife to vacation in Paris as soon as he finishes 'St. Martin's Lane' for Mayflower Pictures Corp.

Herbert Wilcox's next film for Anna Neagle will be 'Queen of the Halls,' based on the life of the late Marie Lloyd.

Barre Lyndon back from Africa where he went to write a play with African background. Now looking for promoter.

Nat Harris, head of Embassy Orchestras, to represent Eric Wollheim and Henri Lartigue in talent booking for America.

George Savory, author of 'George and Margaret,' having his latest play, 'Good and Proper,' produced at the Embassy, April 18.

Maurice Elvey contractee for five quota pictures from 20th-Century Fox as a reward for 'Who Goes Next,' rated best British unit.

The new Gaumont State Cinema, Kilburn, is arranging to present an 80-minute version of 'Pagliacci' with cast of 400 as an added attraction.

George Formby has signed another long-termer with A.B.P. against biddings from other companies, including Gainsborough Films and Sam Smith.

Horace Williams, bead of distribution publicity for Associated British Pictures Corp. is out. Replaced by Robert Weitt, formerly head of A.B.P.'s foreign publicity.

Morris Elvey to do a picture at Pinewood from a script owned by O'Bryen, Linnet & Dunfee, the 10 percenters, who will also have an interest in it. Shooting starts in six weeks.

Tivoli theatre conversion into a vaudeville house by George Black held up due to houses adjoining the back, wanted for stage extension, not available, with owners asking too much to quit.

Tom Walls forming own film production company, with Alec Saville, brother of Victor Saville, to assist. First picture starts shortly, with Eva Moore, Jill Esmond and Veronica Rose in support.

## Sydney

Ralph Smith, formerly with GB, to London.

Many American cowboys and gals making to Sydney for the Royal Easter Fair.

Outside of G-B very few English pictures are playing the aces around the Commonwealth.

Lauri and Dorothy Kennedy successful in all states for the Australian Broadcasting Commission.

Stanley Crick, former 20th-Fox chief, has opened own office in Sydney and is ready to start on some big show biz plans.

After seven weeks in Sydney, Metro's 'Night Must Fall' has been brought back by being spotted in two second-release Greater Union houses.

The Montague show out from Melbourne after zero trade. It's been a big headache to the Fullers since first hitting here from South Africa.

Charles Munro has been looking over the Victorian field on behalf of Hoyts. May mean more nabe theatres being added to already extensive chain.

Sid Greisman is making a personal tour of Commonwealth on behalf of Associated Talking Pictures' pr uct. Plans to sell films to the indie men and boost British wherever possible.

'Firefly' (MG) out of St. James, Sydney, after three weeks, with picture doing further biz in Liberty, here. Idea is tc get 'Maytime' (MG), which just concluded record run at Liberty, out to the NABC exhibs before 'Firefly.'

British Empire Films releasing Cinesound's latest, 'Let George Do It,' before same unit's 'Broken Melody,' with Lloyd Hughes. Another pictur 'Lovers and Luggers' has Hughes starred, and B. E. F. figures it better to put a comedy in between these releases.

## Berlin

Kathe Dorsch guest perfor ' in Munich.

Season's second ball for stage folk packed them in.

Myrtle Leonard, of the oli-tan, giving song recital.

Bjornson's 'Failure' next legit opening at People's theatre.

Par's 'Souls at Sea' reaching the crowds in Ger an dubbing.

Hamburg State opry, oldest German opera ouse, having 260th anniversary.

:vcic. Italian warbler, ing at Kurbel.

Cervantes' 'Don Quixote' leading character of new German play by Wulf Leisner.

Two U. S. hits, 'Metropolitan' and 'One Night of Love,' on repeat list of Kamera.

Karl Hartl on exteriors near Garmisch for Ufa picture, 'Guest Performance in Paradise.'

Friedrich Forster, from unich State theatre, contracted Ufa scripting department.

Ellen Petz von Cleve, of Prussian State theatre, invited by Queen Elena of Italy for terp recitals.

Nazi flooding of Austria sent 40 German newsreel lens grinders scrambling into the Danube country.

Karl Ritter adapting Scribe's 'Verr d'Eau' for the screen, with Alois Melichar supplying l score.

State Playhouse counted 36 legit openings last season, with scenery and costumes all done in own studios.

Karl Ludwig Diehl off to Paris for role of German naval officer in French picture, ' lcter en Medi r-rannee.'

Charity performance of St. John Ervine's play, 'The First Mrs. Selby,' by Diplomatic colony for winter relief fund.

Joseph von Baky megging 'A Woman's Dilemma,' script by Thea von Harbou, after Alice Lyttkens' novel, 'I Won't Come Home for Supper.'

Open-air performances at Augsburg in summer to bring operas by Gluck, Bellini, Verdi, Smetana, Moussorgsky, d'Albert and Richard Strauss.

## *Circus Overhead*

(Continued from page 1)

press relations, stated the union refused to meet Wednesd ith the mayor as arbitrator.

Threat of the strike call had been made onday (11) by Ralph Whitehead, executive secretary of the AFA, with a deadline set for 6 p.m. last night (Tuesday). At 7:30, after unsuccessful parleys, the strike order went out. Differences involve the wage scale for the show indoors, in New York and Boston, which had not been agreed on when the show was unionized last May.

Whitehead stated that the strike call applied only to the animal men, baggage, grips, ushers, porters, wardrobe, watchmen, drivers, props, harness men and kindred type laborers, but specifically not to the performing artists. How the show could go on without these basic menial aides is something which the AFA officials recognized as being more or less impossible; meaning that it hoped to win its cause without the formal necessity of summoning the performers to the strike call.

Most of those concerned are the roughneck or working end of the circus, including people who are now not actually working and some will not start until the show gets under canvas. Just why that section of the Ringling outfit was included in the AFA union of actors is not clear. However, Whitehead was to have arranged for the indoor showings during the winter but failed to reach winter headquarters.

That the whole show should be unionized at one time is explained by the wave of organization last year, but that the razorbacks should be included in AFA is figured to have been a grab by the actors' union heads.

AFM man told John Ringling North, the new boss of the outfit, that an 'emergency' existed however. Ringling family was dissatisfied when it developed that the unionization of the show had upped the operating cost $250,000 a year and late last season arranged new financing which led to the family regaining control. Claimed that a mistake had been made in signing up with the union for a five year period, whereas a one year plan might have served as well. Samuel W. Gumpertz was in charge at the time.

Indicated now that the Ringling show did not earn the profit claimed during the past several seasons and that young North, through banking support, won back the property. It cost $300,000 to get the show out of winter quarters and that, added to the upped unionization wages, means that the outfit will have to earn more than $500,000 before it can show a profit. New management declares that cannot be expected.

Circus heads state that the winter quarters' scale should apply during the current and Boston dates, men getting $7 weekly plus keep. under canvas the men are to be paid $60 monthly plus their board. Performers are not involved in the controversy, they being under contract.

## Hollywood

Smith Ballew trained i tour.

Ben Bard has bought a ranch.

Sig Herczi eration.

Roscoe Karns and son off on motor vacation.

Anatole Litvak east next week for a vacation.

Mitchell Leisen back at Paramount after illness.

William Powell up following major operation.

Ida Lupino recuperati emergency op.

Julia Sanderson and Frank Crumi here for a rest.

Felix Bernard at Victorville to recuperate from illness.

Arthur Hilton, Sol Lesser aide, celebrated his birthday.

Don Stannard, Metro actor, by his fencing instructor.

Dr. and Mrs. A. H. Giannini after a vacation in Phoenix.

Leon Schlesinger under knife for second time in three weeks.

Paul Yawitz and Harry Hirshfiel vacationing in Mexico City.

Una O'Connor off for England to appear in a new stage play.

W. C. Fields house-guesting Joe Leone, Manhattan restaurateur.

Dick Lane of Joe Penner air show has gone for a Beverly Hills abode.

Gordon Kahn resigned from Republic's writing staff after two years.

Harlan Thompson back at Paramount after a vacation of several weeks.

George -West Coast treasurer, is new valley rancho.

Gardner Wilson Manhattan-bound to join Barnum & Bailey press department.

Boris Morros lectured on 'Importance of Music to Fil ' at Stanford University.

Wally Alder play Mag, joi staff May 1.

Joseph Callela has gone in for duck breeding at his San Fernando valley ranch.

George Arthur drew the elaborate office suite at Paramount vacated by Ernst Lubitsch.

Irving Kumin back in casting office after injuries s in auto accident.

Charles Levin, Metro assistant director, upped as production aide to Jack Cummings.

Jimmy Grainger, Norman Taurog and George Marshall absorbing the sun at Phoenix.

James Stewart summoned back from a vacation to start his role in Metro's 'Shopworn Angel.'

Groucho Marx and son, Arthur, winners of the Beverly Hills Tennis Club's round-robin tourney.

Bing Crosby posted two silver trophies as prizes for Paramount Studio Club's tennis tourney.

Una Green, Irish newspaper scribbler, here as house-guest of Maureen O'Sullivan and John Farrow.

F. L. D. Strengholt, Metro exchange manager in Berlin, homeward bound after two weeks at the studio.

Jack Randall, Monogram sagebrusher, nursing four fractured ribs after fight scene for 'Gunsmoke Trail.'

Peter Ermatinger, Biltmore theatre manager, in San Francisco to glimpse Coast production of 'Golden Boy.'

Ruth Nolander, secretary to Joseph M. Schenck, feted by 20th-Fox employees on the start of her 15th year on the job.

## *Holmes' Season*

(Continued from page 1)

peated April 4. Holmes also repeated lectures on Germany in ilwaukee and Chicago.

Walter F. Everest, Holmes' manager, said it was very probable that Pittsburgh will be added next season to the lecturer's circuit which includes New York, Boston, Brooklyn, Philadelphi , Washington and St. Paul, where he appeared twice during the season just ended, along with Detroit, Chicago, Milwaukee, Kansas City and St. Loui

Everest said that Holmes' gross for the past season exceeded that of the 1937-38 season by a comfortable margin and he believes that a new generation of Holmes followers has sprung up and is mainly responsible for the increase. Everest also found that pupils, in both grade and high schools, find that Holmes' discourses on foreign countries are of great assistance in their histor and geography studies.

Following his closing in Paul, Holmes goes to New York for a short rest after which he pulls out for Boston where he starts his tour on Saturday (23) to gather material for his 1938-39 season. Holmes will visit the West Indies, Mexico, Ireland, the Scandinavian countries and possibly a fifth country. He will return to New York about Oct. 1 to prepare for his 46th season. Holmes is now 67 years old.

# OBITUARIES

### FREDERICK MELVILLE

Frederick Melville, one of the three brothers who were connected with the conduct of the Lyceum theatre, London, following the death of Sir Henry Irving, died in Shoreham, Sussex, April 5. His brother, Andrew, died last month, and Walter died in March, 1937. He was the last of the triumvirate.

The Lyceum, built on the site of an earlier opera house, erected in 1794, was the scene of Sir Henry's greatest dramatic triumps. Following his death in 1905 the house reverted to a music hall policy, but was taken over by the Melvilles four years later. They made it the home of melodrama, many, if not most of them, from their own pens, and the house enjoyed a new era of prosperity. They were among Great Britain's foremost producers of popular melodrama.

### . . MONAGHAN

E. J. Monaghan, 59, manager of Avenue and Arbor theatres, died in Omaha, April 4. He had been hospitalized for seven weeks.

Most of his lifetime Monaghan spent in theatre management in Omaha. During his career he was manager at the rug, Boyd and Brandeis theatres, each of which in the order named was at one time leading legit house of Omaha over a period of forty years. His last houses were neighborhood spot which he o rated for Ralph Goldberg.

Survived by his widow.

IN LOVING MEMORY OF
MAURICE
Passed April 13, 1931
BELLE BAKER
HERBERT ABRAHAMS

### FEODOR CHALIAPIN

Feador Ivanovitch Chaliapin, 65, one of the most celebrated Russian bassos, died in Paris April 12. Immediate cause of his death was attributed to anemia brought on by a kidney ailment. He had been ill at home for several weeks, and expired within 24 hours after a dangerous turn. He had appeared in films, concerts, vaudeville and opera during his lifeti

A singer and an actor, he was considered the greatest basso of his age. He was reputedly the highest paid singer in the world, getting as much as $4,000 a performanc at the Metropolitan Opera in N. Y.

Born in Kazan-Kazan, a Tartar city, Feb. 13, 1873, and at 17, after working in a choir he ran away from home and joined a strolling actor troupe. He came to America in 1906, where he was coldiy received by Italian-conscious American audiences. In 1922 he was persuaded to return to America and the et, where he was an immediate success.

His widow and 10 children survive.

### ILSON REYNOLDS

Wilson Reynolds, 68, actor and stage director, died April 10, in Ossining, N. Y., after an operation. He had been ill for two years.

He was a life member and organizer of the Actors Fidelity League and a member of the Adventurers Club of Chicago. Born in Louisville he spent most of his life in theatricals, appearing with Holbrook Blinn in various plays for more than 10 years.

Survived by his widow, daughter, ister and two brothers.

### CHESTER BAILEY FERNALD

Chester Bailey Fernald, 69, author and dramatist, drowned near Dover, England, April 10. At the time of his death he was returning across the English Channel from France aboard an auxiliary schooner when he was struck by a swin ing boom and knocked overboard. His body was not recovered.

He was the author of several books and a number of plays including the Mrs. Patrick Campbell and Forbes Robertson vehicle, 'The Moonlight Blossom.'

### FRANK L. SWIGERT

Frank L. Swigert, 50, manager of the media-contract department of N. W. Ayer & Son, Inc., advertising agency, died at his home in Haddonfield, N. ., last ednesday (6). He had been ill for four months.

Starting with Ayer's 28 years ago, Swigert was for many years in charge of space-rate negotiations with publishers. He supervised the spending of millions of dollars in newspaper, magazine and trade paper advertising.

### MRS. OSCAR HOMOLKA

rs. Oscar Homolka, 24, the former Baroness Vally Hatvany, and wife of Oscar Homolka, Viennese actor whom she married last December, died in London, April 5, of blood poisoning.

The widow of an industrialist, from whom she inherited a considerable estate, and wealthy in her own right, she made her chief success on the Viennese stage. She was a relative of that Baroness Hatvany who wrot 'Maedchen in Uniform.'

### HAROLD C. STOCKER

Harold C. Stocker, 34, technical engineer at station WLW, Cincinnati, fatally shocked by high-tension transformer at station plant, Mason, O., April 11.

He was working at site, which is 20 miles north of the Crosley studios, when the fatal accident occurred. His widow and a daughter survive. Burial at former's home in Ottumwa, Iowa.

### JOHN J. DUNN

John J. Dunn, 32, of Binghamton, N. Y., ied April 2 in a Bluefield W. Va., hospital after a brief illness of pneumonia. Dunn headlining a unit musical show, 'Hollywood Vanities,' playing a theatre there, was stricken only two days prior to his death. He had taken part in several pictures in recent years and had been a radio entertainer.

The body was sent to inghamton.

### JACQUES HOFFMAN

Jacques Hoffman, 70, for 47 years prominent in Boston music circles and former violin virtuoso at the Vienna Imperial Opera House and member of the Vienna Philharmonic Orchestra, died March 18 in Boston from injuries sustained in a fall. For many years he was first violinist for the Boston Symphony Orchestra.

Survived by hi widow; Paula Schwitzer Hoffman, a son, Ernst, conductor of the Houston Symphony Orchestra, a daughter, and three brothers and a sister living in Austria.

### ARTHUR C. SANDERS

Arthur C. Saunders, 44, for 15 years chief projectionist at the Fox home office, died April 9, in New York. He served in France during the world war, being a member of the 'Lost Battalion' and received the Order of the Purple Heart for bravery. His death was due to a heart attack arising from a shell shock during his campaign. Among survivors are his brother, Morris, an executive with 20th Century-Fox .

### JAMES C. MORTON

James C. Morton (James C. Lankton) old time vaudeville and burlesque actor, died in Islip, L. ., April 10, after a long illness. Until recently he had been a guest at the Percy Williams home. On the legit stage he played in 'The Circus Princess,' 'The Field God,' 'Spellbound,' 'Up Pops the Devil' and 'Holka Polka.'

### HUBERT A. DENNISON

Hubert A. Dennison, 77, Watertown, ass., Boston singer, designer, artist, and illustrator, died there April 7. Was active in musical circles.

Survived by a widow, the former Annie Hatch, and two sons.

### IKE BLUMENTHAL

Ike Blumenthal, 59, in charge of Paramount's production activities in France, died at sea last week en route to the U. S.

Details in the ictures secti

### WALTER BALFOUR

Walter Balfour, 62, former concert singer, died April 8, in Los Angeles. Leaves a widow and son.

### E. S. LEWIS

E. S. Lewis, 60, secretary of the Ohio Outdoors Advertising Co. and head of the Lewis Poster Service, Bucyrus, O., died April 5 in that city, after a lingering illness. He was a former secretary of the Crawford County Agricultural Society. His widow survives. Burial locally.

**Mrs. George D. orris**, 51, mother of Ted I. Nicholas, manager of the Lyric theatre, Indianapolis, died in St. Vincent's hospital, April 9, after a brief illness. Surviving are another son, husband, and sister.

**Albert E. Freymark**, 76, an uncle of Clyde Eckhardt, 20th Century-Fox exchange manager in Chicago, died March 30 at his home, Canton, O., from a heart ailment.

## MARRIAGES

Frances Poole, assistant motion picture editor of Chicago American, to Edward L. Taylor, non-pro, in Chicago, April 4.

Belle Rand to Arnold Albert, in Warners trailer department, in Los Angeles, April 3.

Audrey Faught to Roy Granville, chief RKO sound cutter, in Los Angeles, April 8.

ildred Remes to Irving Birnbaum, Universal cutter, Hollywood, April 10.

axine Doyle, Republic film player, to Billy Witney, Republic director, in Las Vegas, April 5.

Kathryn Green to Rollin N. Walters, in Baltimore, April 8. He is manager of Bill Green's Casino, Pittsburgh.

Trula Communtzis to George P. Capps in Wheeling, March 19. He is a Wheeling theatre operator, formerly with theatrical enterprises in Pittsburgh.

ary Ellen Herrick to Joe Walters, April 10, in San Francisco. Groom is KSFO announcer, bride former radio actress.

Sophie ileen Haugh to Harold Mickey in Buenos Aires, March 26. He is an orchestra leader for Radio Excelsior (LR5), Buenos Aires.

Bert Foth to George Lait in New York, April 14. Bride is a dancer; he is a newspaperman.

Barbaret Roberts to George Thomas, April 9, in Yuma, Ariz. Both are Hollywood publicists.

arian Avery to D. A. Doran in Pinehurst, N. C., April 8. Bride formerly a play reader; he's former head of Columbia Pictures story dept.

Ruth Hilliard to Jimmy Ritz, April 14, in New York. She was last under Columbia contract; he's the third Ritz brother yet to be married.

## Smooth Pix

tion picture code and also in the voluntary discussions at Atlantic City, from which the unifor license agreement of 1933 emerged, are said to view projected round-table discussions with serious reservations. Intra-industry sessions entail sacrifice and time, and participants frequently wind up discussions with all hands on the verge of nervous breakdowns as a result of the tense meetings and debates.

Notwithstandi , it is known that the urge for an early call of delegates already has reached the stage for preliminary planning, for a conference. Best opinion is that nothing can be done until after adjournment of the present Congress and disposition of the pending Neely bill, provisions of which strike at the present structure of the industry.

One of the points for discussion undoubtedly would be 'he establishment of local industry boards to pass upon disputes entailing overbuying and unreasonable learance. Legal departments of some of the national distributors hold pronounced opi ions that the anti-trust laws and court decisions preclude any compulsory mediation. It is believed in some circles that voluntary compliance with arbitration decisions would soon become general practice.

On the subject of the need for an early industry conference, an important film executive said this week:

'The film industry is at the crossroads. In one direction is the course of least resistance and diminishing returns—Government control. The other course is rough, beset with pitfalls, sacrifice, give and take, but it leads to self-regulation and expanded prosperity and growth. I feel that the moment for decision has arrived. The business can take the defeatist attitude, which means that it can shove its problems to Congress and legislatures, or it can gain permanent strength and progress by engaging in a brisk and intelligent internal warfare, from which much good can come.'

# News From the Dailies

*This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London.* VARIETY *takes no credit for these news items; each has been rewritten from a daily paper.*

## East

One of the conspirators in 'Julius Caesar' pinked Joseph Holland, the Julius, Wednesday when he slipped and his knife slashed the actor's arm. Play continued, but Holland required hospitalization.

Eddie Dowling reported to be flirting with the idea of assembling Cissie Loftus, Sheila Barrett, Ina Claire, Eddie Garr, Gertrude Lawrence and others in an evening of mimicry. If it clicks, he may put it on for a run.

Edward Furman, the Spit of the original production of 'Dead End,' committed to King's Park state hospital as 'a paranoid with a psychopathic personality.' He has been in court several times charged with annoying Millicent Green, a former member of the company.

Rededication of N. Y.'s historic Bowling Green messed up by a snowstorm, but the historic game was played last Wedne ay. Players in ancient costumes.

Sale of articles held by police as unclaimed netted $5,667 last week. Smallest priced item was a rowboat without oars, knocked down for two bits.

Prof. Einstein guest of honor at the Public theatre (Yiddish) last Wednesday. Program made up of big scenes from various plays. For the United Palestine Appeal.

Metropolitan Players have shelved projected production of John Held's 'Galloping Bungalows' at the Heckscher. Will do 'Thanks for Tomorrow' instead. Three performances, starting May 17.

Last week 46 men charged with attending a cockfight in Harlem were sentenced to 30 days in the workhouse each, but sentence was suspended. Men were fingerprinted against an encore.

New policy rules cut the winner's take from 600 to 1 to 400 to 1. Claimed certain numbers are favorites and played to excess.

Juilliard opera school gave its final performance of the season last Wednesday. Did Mozart's 'The Abduction from the Seraglio.'

Robert C. Currier, managing director of the Garrick Players, Kennebunkport, Me., to direct Vagabond Players' production of 'Prince of Liars' at the Fifth Avenue.

Dave Kleckner, of Dave's Blue Room, loses his liquor license and also loses the $500 bond posted to ensure observance of closing hours.

Dr. Walter Damrosch found guilty of conduct injurious to musicians' local 802, reprimanded and told a repetition will be severely dealt with. He was charged with having stated that the union included incompetents in its membership and that the high wage schedules contributed to unemployment.

Easter bonnet and top hat luncheon for the benefit of the Stage Relief Fund to be held at the Sherry-Netherland Easter Sunday under socialite auspices. Prizes for best toppers.

Special matinee of 'I'd Rather Be Right' held at the Alvin last Friday for the Actors' Fund.

Samuel French to publish 'The Fireman's Flame.'

Two reels of 'Beloved Enemy,' Irish play, seized from a messenger by armed men at Dundalk, Ireland. Believed to be the same men who recently 'censored' 'Victoria The Great' last month by a show of arms.

Hans W. Steinberg appointed to whip the Toscanini orch into shape next fall for the NBC concerts. He is one of the members of the Palestine Orchestra Assn. and, until Hitler, a leader of a number of important German orchs.

Rufus Phillips and Watson Barratt have dissolved their production partnership. They produced 'The Lady Has a Heart' and nearly staged 'Dramatic School.' Phillips is considering two summer tryouts. Barratt will continue as stage designer.

Brooklyn College Theatre Guild gave performances of 'Pride and Prejudice' the last three nights of last week. Used the Helen Jerome version.

Wagner College Varsity Players, Grymes Hill, Staten Island, gave 'As You Like It' in modern dress last Saturday.

Hampton Players, ridgehampton, L. I., to swing into action June 27.

Eleanor King, who did the voice and the facial closeups in 'Birth of a Baby,' about to become a mother herself. Has played in several B'way shows.

Senate turned down a propositi to tax hard likker an extra two bi Thinks $2 per gallon enough.

Junior members of Gilbert and Sullivan association gave 'Patience' Saturday afternoon at N.Y.U. little theatre. Jersey school children from Union County. Gilbert and Sullivan society of White Plains, N. Y., di 'Yeoman of the Guard' Saturday evening in the home bailiwick.

Theatre managers in West Chester, Pa., ordered to drop bank nites.

Carroll Glenn, South Carolina girl, winner of the Naumburg Foundation contest in N.Y. ward is a sponsored recital here next season. She's a violinist.

Cherry Preisser Hopkins, formerly Preisser sisters, recovering after an appendectomy. Rushed to N.Y. fro Chi.

Harry Burleigh sang 'The Palms' at St. George's church for the 44th consecutive Palm Sunday.

King Tuffy, said to be the only tightrope-walking lion in the world, back from a European tour. Mr. and Mrs. Robert Matthews, of Los Angeles, his owners, with him. Ringling show has but a lion an leopard on the tightrope.

Theatre Club to hand its annual medal to 'Susan and God.'

Second annual music festival at Silvermine, Conn., dated for Aug. 18-21.

Lily Pons suffered assorted bruis on particularly rough sea crossing on the Queen ary. Skidded across stage while singing during a shipboard concert.

## Coast

Ricardo Cortez was named in a $10,000 foreclosure action brought by William and Amelia Wood, who charged the defendant gave them a note secured by residential property in 1931 but had not since paid anything on the principal.

Ernst Laemmle, nephew of Carl Laemmle, Sr., and former film director, announced his intention of marrying Iolani Bray, Hawaiian dancer, now in Hollywood with Harry Owens' orchestra.

Don Santo, emcee at Los Angeles Orpheum, was robbed of $152 by a brace of armed femme stickups while en route from the theatre to his home.

Gertrude Sharon, former southern legit actress, now playing in the films, sued Harold Bentler for divorce, charging cruelty.

Thomas Mitchell, screen actor-writer, suffered an $80,000 loss when flames destroyed his Pacific Palisades residence, along with its furnishings, while two firemen were seriously injured in their efforts to halt the blaze.

Caroline Faber, screen actress, filed $50,000 action against Paramount and Mickey Gentry, animal trainer, on the ground that she was made seriously ill as result of a bite inflicted by Jiggs, late chimpanzee thesp, while working in 'Her June Love.'

Rosalind Russell has been sued for $10,214 by L. H. Babcock, who charges film actress' dog attacked him while he was passing her residence.

Peter F. Reed, one-time player, has sued his daughter, tha Raye, demanding that she contribute $50 a week to his support, as well as give him $500 with which to have his teeth repaired an replenish his wardrobe.

L. A. judge took under advisement testimony in the $200,000 suit of J. Allen McManus, screen writer, against Mausoleum Park, Compton, Calif., as a result of the disappearance of a bronze casket containing the body of Mc anus' four-year-old son.

Fred MacMurray's Bel-Air home raided by burglars, who made off with jewelry valued at $1,000.

Carl Laemmle, Jr., and Russel T. Kempf were named as defendants in $10,955 personal injury by Arlene, Grace and Frank Whipple, injured in an auto crash in which Laemmle's car, driven by Kempf, figured.

Partial victory in her long-drawn-out legal battle with A. C. Blumenthal, N. Y. realty operator, was won in an L. A. court by Lillian Lagier, ex-Greenwich Village model and now a Hollywood author, when 30 love letters written her by 'Sheriff' Bob Chandler were returned to her. Move resulted in a reduction amount demanded by her from menthal from $1,950 to $950.

## BIRTHS

Mr. and Mrs. Ed Luckey, daughter, in Los Angeles, April 4. Father is RKO studio sound technician.

Mr. and Mrs. Leon Birnbaum, son, in Hollywood, April 4. Father is with Columbia studio.

Mr. and Mrs. Ralph Wilshin, daughter, in Hollywood, April 4. Father is with National Screen Service.

Mr. and Mrs. Morton Grant, daughter, in Hollywood, April 5. Father is a film writer.

Mr. and Mrs. Philip S. Brook, son, in Schenectady, N. Y., April 7. Father is a WGY, Schenectady, announcer.

Mr. and Mrs. Robert Tincher, daughter, in Des Moines, April 3. Father is treasurer of Iowa Broadcasting System.

Mr. and Mrs. Wheeler Dryden, son, in New York, April 9. Father is an actor. Mother is Alyce Chappell, dancer.

# Ringling Bros., Barnum & Bailey

By JACK PULASKI

The Big Show is back in the hands of the Ringlings, the kin of the clan holding the directorial reins, the most valuable circus property in the world being handled by two young men—John Ringling North, with Henry (Buddy), his brother, a chief of staff. The intelligence, industry and alertness of these courteous college graduates should mean much to the outfit. Innovations made and others expected from them should count too in maintaining the popularity of this type of amusement. As for changes in complement there have been comparatively few, the Norths being wise in holding those skilled in operating the Ringling performance.

If Gargantua, the gorilla, survives the season, 'The Terror,' as he is billed, should ensure a fortune to the show. Not that it is the first time such an attraction has been with the circus, although not in this generation, but never with the showmanship of this presentation. The press given Gargy from Sarasota was exceptional, starting the build-up that made the animal the top feature of the big top.

There is no doubt about the fierceness of the beast, and he is probably the toughest so and so that ever hit the lot. As he was drawn twice around the track, Frank Buck talked about Gargy over the p. a. system. The large horse-drawn glass-enclosed cage made frequent stops, the gorilla gazing at the audience placidly enough. Painted white and excellently lighted, the only other object in the cage was an automobile tire, Gargy's little plaything. They are taking no chances with the animal catching pneumonia, the cage being air-conditioned and kept at an even temperature. 'Bring 'Em Back Alive' Buck is in charge of the menagerie, making his first appearance atop an elephant in the spec. His name is also new to the circus and is figured a draw. Under canvas Gargy will be a bigger flash than now. Cage is too big to go down the incline at the Garden, animals being quartered downstairs. On the lot the gorilla will be in the menagerie, where a closer view can be had. Looks comparatively small to those upstairs at the Garden.

Opening night at Modison Square Garden Friday (8) attendance was at least double that of any debut indoors here. That was partly accounted for by the fact that the performance was a memorial benefit for the late Dexter Fellows. Show ran three hours and 15 minutes exiting at 12:30 with comparatively few walk-outs. Delays were mostly in the first hour, because wild animal acts are back in the show. Routining will be improved.

### The Spec, 'Nepal'

It was decided to doll up the outfit and for the first time in years a Broadway designer and costumer were called in. Opening procession is billed 'Nepal,' with the Oriental tone predominant. Cost of the new dressing which extends through much of the show approaches $60,000, and looks it. Color and costliness of the spec was heightened by some unusual sights, including a tiger, led by a chain. Animal was fractious and the stunt is dangerous, although a lion also slated to be paraded was scratched. Liberal credits for the costumers are given in the program, Charles LeMaire being the designer with the assistance of Mme. Sherri and Brooks Costume Co. executing the duds. Seven girl drum-majors in silver were at the head of the spec, while shortly afterward the crowd giggled at the seven dwarfs—but no Snow White.

Terrell Jacobs out of the Hagenbeck-Wallace show tops the wild animal display operating with lions. He gets closer to the cots than most trainers, sitting astride one at the finale. Jacobs is rated with the very best among young animal trainers, and among his novelties are a tight rope walking black leopard and a lion who does the same trick. Most effective is the herding of lions side by side on their haunches. Dollie Jacobs works with a single lion, made to ride a padded horse. Pallenberg's Bears have some new stunts, the standout being a prop motorcycle.

The equestrian numbers have been greatly strengthened, show having the Loyal-Repenski and Critianis, the two top riding family acts. Latter come from the Barnes show and the leap to the back of a circling horse by five of the men at the same time is a rattling trick. One of the latter's back full twister from one horse to another is also something. The Loyals, however, have the showier turn and is spotted further down. One of the girls is doing a back sommersault while the two high hack of her brother is still a standout. The Rieffenach girls are out of the outfit after a dozen years. They're with the Barnes trick.

In the menage display Tamara Heyer caught all eyes with a polished aluminum equestrienne cart hauled by haughty white horse. Present, too, are Rudy and Erna Rudynoff, Ella Bradna and William Heyer. Rudy again took the center with his liberties with Gordon Orton and Adolph Delbosq in the end rings. Wild west section is more diversified than heretofore, including Arlayne Brown, the pistol shot; the knife throwing Gibsons; Chief Washington, the archery crack, while the Waltes are again present. Riders and ropers are Frank and Beatrice Dean, Marco Bordello, Herna, Bobbie Cropper, Art Bowden, Estelle Clark, Tom Cropper, Soloduhin troupe. Walter Guice bar act never had a better break, being unopposed, and the turns went over better than formerly.

### Newest Thriller

Newest thriller is the turn of the Paroff Trio, working on ladders atop an anchored pole which reaches close to the Garden girders. It is the only act in the show not scheduled to stick when it goes under canvas because of the pole's height. The fliers again feature the Concellos. Antionette is now doing a triple sommersault which she first accomplished this winter but she missed three times at the premiere and passed it. The triple is the feat that forced the late Afredo Cadona out of the circus because of torn shoulder muscles and iss Concello's two and a half to a leg catch was formerly just as effective. On the ends are the Flying Comets and the Randolls.

Once again the allenda high wire act is a show stopper. It is spotted latter than ever and went on at 12:15 on the first night. The Grotofent turn on the other high line has built up the comedy feature so much that the Wallendas pause while the clown does his seemingly dangerous stuff.

Ground acrobats have the Yacopis with virtually no intentional miss. The Danvill troupe is out, replaced by the Magyars which feature a girl top-mounter who is teetered to a four high while blindfolded. The Cannestrellis, Maschinos and Uyneo troupes complete the display. Naltto troupe with its two fine Eurasian girl tight rope athletes again takes the center as a feature. Ala is becoming the star of the turn with her forward somer ult, only credited to Con Colleano in the past. Nio does the back leap and a bit better performer. An earlier mixed acrobatic display is featured by the Maysy Brach dup and the Wen Hois and includes the Spurgatz, Keltans, Mikados, Bearto and Frederico. Harry Ritteley is again with the show as are the Rooneys, Hartz, Nelsons, Bells, Mirador, ilans and Budanos. Working the elephants are Lawrence Davis with a head balancer, Erika Loyal, Bonnie and Gloria Hunt. Perch and high aerial turns: Walkmir, Mlle. Gillette, Dearo, Antaleks, Davisos, Terrance-Victoria duo. Alf Loyal's dogs and Tibor's seals are fixtures.

Norma Hughes and Miss Heyer are working the jumping horses, latter replacing the flashy Dorothy Herbert who has switched to the Barnes outfit. Ralph Clork with a two horse Roman leap. Margaret Garner, Ann Hamilton, Lucille Panzer and Rene Trotter are in that section. There was a straggling finale which will be tightened up. The cannon act is out, so the chariots ring down the show.

Pacing the show is the veteran director, Fred Bradna, with Pat Valdo the personnel boss. Bradna is on crutches having broken his leg about two months ago but that did not keep him from blowing the whistle at the side entrance as usual.

## Circus Notes

Rolling white and gold cage quartering Gargantua is number 98 in the outfit. It cost more than $6,000. Under the driver's seat is a modern air-conditioning plant and in the reor is a compartment for feeding purposes and when the cage is cleaned. Only thing the gorilla is afraid of is a snake, which is pushed though a slit when the handler wants him to enter the rear end of the cage. Gorilla's propensity for throwing things is no yth, an added reason why the cage is sheathed in heavy glass.

Hugo Zacchini and his brother are out of the show with their cannon which formerly closed the performance. Understo there was a disagreement about terms and the new management let the cannon man take a walk.

Joseph Mayer who publishes the program gave a party at the Lincoln hotel after the premiere. On display there were some excellent enlargments of photos taken by axwell Fr eric Coplan, specialist in circus pictures. There are admirable color plates of Coplan' work in the program including the laughing face of Chester the clown.

Fred Bradna was on the way to profitable winter when he broke his leg at Lansing, Mich., late in the winter. He stepped into a coal hole hidden by snow.

The Ringling North brothers who will travel with the show are Yale men. John raised the coin whereby the family was enabled to recapture control of the outfit.

## Dexter Fellows' Salary

Late Dexter Fellows, dean of circus press agen , might have commanded a large salary, but it was relatively moderate. He insisted that he be paid $100 weekly and not more, but that the Ringling, Barnum and Bailey outfit also defray his expenses, which he carefully tabulated. He left about $5,000 to his widow plus an insurance policy of $10,000.

P.a.'s with the big top have joined the union (TMAT) and, it is understood, the minimum salary is $150 weekly.

# Draw Poker Okayed At L. A. Beach Resort; Stud a Legal Outcast

Ocean Park, Calif., April 12.

While Los Angeles County Grand Jury devoti its attentions to gambling and vice conditions in L. A. city proper, drow poker has been legalized by the powers that be of this beach amusement resort suburb, with a number of wide-open card spots currently flourishing. Stud poker, classified as gambling under Cali ia law, is strictly taboo in the rooms that have mushroomed along the shor but draw at 50c and $1 li nly tolerated.

There are no house ployers or kitty rakeoff, but the players are assessed a dime every 20 minutes, or 15c each half hour, depen ing on the size of the game.

Most of the places are located on the ground floor, with the patrons visible from the str t. Femme players are much in evidence at both the matinee and night sessions. In the 50c limit games minimum buy is $1 stack.

In addition to draw, bridge and other legal card games may be played, being optional with the players.

## Studios Enter Floats In Shrine Pageant

Hollywood, April 12.

Major studios and other film industry enterprises have entered floats in the Motion Picture Electrical Pageant to be staged June 9 at the L. A. Coliseum.

Among the picture concerns and individuals who will participate in the display are 20th-Fox, Metro, Paramount, RKO, Warners, Universal, Fanchon & Marco, Harold Lloyd, J. E. Brulatour, Leon Schlessinger Productions and Western Costume Co.

## Balancer Sues Barnes

Los Angeles,

America Olvera, balance trapeze artist, has filed suit against the Al G. Barnes, Sells-Floto circus here for $51,000, alleging that she fell and sustained serious injuries while working with the show last Sept. 11.

Accident occurred during the stand in Anthony, Kans.

Barnes show winds up its playing time in the Southern California area April 17 when it pitches at Ventura for an afternoon stand only. Tent outfit after seven days to better than average biz in downtown Los Angeles, moved to Hollywood (11) for three days and nights.

Combo plays Santa Monica (14) and Glendale (15) to wind up its Los Angeles county dates, and then starts its northward trek.

## Reading Books Show

Reading, Pa., April 12.

Reading Fair Association, planning for fair week, Sept. 11-18, contracted with George Hamid for a musical revue t staged nightly on the stage in front of the grandstand and every afternoon between heats of horse races during the entire fair week.

Cetlin & Wils n Co., carnival outfit at the fair for several years, was again given the midway shows contract.

# Circus, Carney and Rasslin' Shows Socked Double Fee in Boston

## FRISCO'S BIG ORDER

**Places Contract for 9,000 Flood Lights for Fair Use**

San Francisco, April 12.

Order for 9,000 floodlights, largest single contract of its kind ever made, has been placed with General Electric by 1939 Golden Gate International Exposition execs. Exterior illumination, directed by J. E. Stanton, ill cost around $500,000.

Frisco fair will be the first major exposition to invite labor union participation. Workers will sponsor special exhibits showing how their specific skills operate, with iron welders first to sign. Special days honoring individual unions also will be set aside.

Winner in $1,000 contest to name Fun Zone ill be announced before April 21 by committee headed by Judge Goodell. Four hundred thousand entrants submitted 25,000 different names, now trimmed to around 200. Barbary Coast was the most popular monicker, followed by Gay Way, Play Way, Gold Coast, Gold Rush, the Span and the Coast.

Free admish to fair ground will be guaranteed to any one swi ing to Treasure Island—1.9 miles. Feat has been done already, by several.

## GETS 26,000 LINES FOR 200 OFF-DAY OAKLEYS

What rates as the biggest publicity tie-up ever arranged for a circus (in a town which is usually sewed up by motion pictures) has been completed by Sam Ward, p.a. for the Tim McCoy wild west show which opens in the International Amphitheatre on Thursday (14).

Tie-up with both Hearst popers, the morning Herald-and-Examiner and the evening American, gives the McCoy show a total of 26,000 lines in four days in exchange for 200 ducots which are to be distributed for Thursday and Friday, both of pretty low value as far as show business admissions are concerned.

Circus will get a box on the front page, an inside quarter page and an across-the-page streamer in the classified section in both papers. Tie-up is a classified section contest, with contestants searching through the ads for 50 words of wild west atmosphere. First 200 sending the correct listing of hidde words get the Oakleys.

## Oregon Quits N.Y. Fair

The Governor of Oregon wired orders last week for the Oregon delegation to the N. Y. fair to quit after Thomas F. Gunn, vice-chairman of the Oregon Fair Commission claimed that the fair management tried to change that state's desirable exhibit site. Oregon plonned to spend $117,000 ot the New York exposition and it was indicated that this would be spent at San Francisco's fair the same year.

Oregonians apparently were pecved because the site optioned to them had been given to a foreign nation.

## Minus a Monk

Charlotte, N. C., April 12.

Jocko, a baboon, escaped from Barnett Brothers circus at the York winter quarters near here, just before the show hit the road for the season. He is still at larg , and the two monkeys that shared the cage with him are heartbroken.

Jocko used his tusks and loosened boards in the floor of his winter quarters cage. Since his escape he has been reported in two encounters with humans, one of whom shot him.

## CIRCUS ROUTES

**Week of April 11**

**Barnes-Sells-Floto**

Bakersfield, Calif., 18; Visali , Fresno, 20; Stockton, 21; Martinez, San Jose, 23; Santa Cruz, 24.

**Tim McCoy Wild West**

Chicago.

**Ringling Bros.-Barnum and Bailey**

New York.

Boston, April 12.

Showmen playing circus, rodeo and wrestling shows within the corporate li its of Boston henceforth will unpurse with double the fees of yesteryear, according to an announcement of license increases by Mayor Maurice J. Tobin, Wednesday (6).

Carnivals and beono gomes were marked for increases.

The big top is slated to go $500 i stead of $250, for the six-day, two-o-day engagement skedded for the Boston Garden, week of May 2. Tobin's special committee recommended a $1,000 license fee, but they settled for half that much. The circus, however, under canvas was charged with a $1,000 fee.

Rodeo promoters will be greeted with a $300 license bill when they come to the Garden in the Fall. Heretofore, charge has been $150.

Beano tickets for churches and charitable, civic, educationol, fraternol, and religious organizations which hold weekly beano parties, also will be affected by an increase from $2 to $5 a night.

A new fee of $50 a day has been scaled for all carnivals held in the Hub. In addition the carnie promoters must pay $1 day for each merry-go-round, ferris wheel and si ilar attractions on which patrons pay to ride.

Wrestling bouts in audit iums with a seating capacity of over 12,000 will be billed at $50 per night, jumped from $25. In halls less than 12,000 turn-stilers, wrestling bouts will be run at a $20 cost.

Automobile and other commercial shows must pay a license fee of $25 a week instead of the former $10. The price of permits for a single day has jumped from $2 to $5.

Entertainment licenses on Sunday for restourants, hotels and clubs have en hyped from $3 to $5 a night.

Track meets, bicycle and motorcycle races, skating earnivals will be affected also.

At a recent meeting an attempt to increase the present fee of $1,000 a year for Sunday baseball tickets at Fenway Park and Braves Field was defeated in the City Council. Councillor Peter A. Murray of Jamaica Plain, who advocated a jump to $1,500 for the two baseball parks, said his plan was not directed at baseball alone, but at sports generally.

## Okla. City's Aude Held Losing $2,000 Monthly

Oklahoma City,

Oklahoma City's new municipal auditorium, after 10 months' operation, is skidding into the red at the rate of $2,000 a month, it's reported.

Despite the fact this auditorium is one of the finest and most modern in the Southwest, its booking dates are too far apart, and the city has not as yet been educated to its use. Statement by severol city bookers that they want more touring shows, but the high b.o. tariff makes it impossible to present any but top names.

## Under Italian Skies

arch 29.

One of main attractions at this year's Florenti ay Festival is to be great open-air presentation of d'Annunzio's 'Figlia di Jorio,' for which Giovacchino Forzano is making arrangements. Performance is to be in commemoration of d'Annunzi in his work.

ir operas will be staged on arge scale during July and August in Rome, Milan, Verona, Trieste, Zara, Turin and Genoa. At the same time other cities—including Naples, Palermo, Siena and Bolgona—will have their outdoor opera, too, ugh not on such a large scale.

utdoor symphony concerts schedded for the summer in Rom Florence, Milan and Fiuggi.

There will be outdoor performances of classic drama and other plays in the open air theatres o Venice, Ostia, Gubbio and Fiesole; and a presentation of classic dances in the old Greek temples at Paestum.

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# BETTER ROADS TO THE B.O.

## Recorded Orchestral Accompaniment Proposed as Aid to Vaude Revival

B. A. Rolfe and Jack Horn are trying to interest the big circuits in a bring-back-vaudeville idea, patterned as a unit with a soundtrack musical accompaniment in lieu of pit orchestras. The synchronization idea makes it preferabte for a concerted trial, rather than competitive situations, hence the move to get all the circuit operators together. Maurice Goodman, former Keith-Albee counsel, is attorney for Rolfe.

Bandman-showman, who was a vaudeville and film production pioneer with Rolfe-Lasky, the old Bluebird Pictures, etc., first got the American Federation of Musicians' approval because it means a re-employment drive for musicians, despite the fact that basically the acts would be working sans living musical accompaniment. Rolfe avers he has a tacit OK from the musicians union heads.

Campaign, of course, is predicated on the proposition that theatres need not be burdened with pit musicians, since the entire musical accomp is sound-tracked, yet for the basic production of the musical records it perforce means extra work for the musikers.

## Despite Agreement Not To, N. Y. Hotels Tilting for '39 Fair

espie an agreement with officials of the New York World's Fair of 1939 not to raise rates, hotels are gradually working up the ante. Sources state that by the time the shindig arrives rates will have attained the '29 level, or better. Reasons are inns don't want to miss the chance-in-a-lifetime killing and. because of increasing labor demands, from which they have been comparatively free until beginning of 1938 and which is steadily growing along with taxes, they deem a revision upward is justified.

Fair housing commission is at work trying to tabulate all available space in hotels, boarding houses, furnished rooms, etc., around town. In addition it is trying to interest realtors in construction programs adjacent to Fair grounds. Survey is still very incomplete and will probably call for esablishment of centrally located bureaus at the Fair proper and in Times Square for dissemination of quartering info, it is stated.

Altogether there are at present 435 hotels in New York City. These are rated as 279 in class A, 85 in B category and 71 in the C division. They are not considered nearly adequate to house number of visitors expected to hit city at one time, hence the survey of all available tenting space.

Hotels will have no exhibit at the Fair but are 'cooperating' to fullest extent with officials.

## The Gentler Sex

Rochester, N. Y., April 19.

Gus Bardo's nite spot lacked two of its young women entertainers after a fight that sent one to a hospital and the other to jail. Professional jealousy was blamed, according to police report of the affair. Dolores Reeves, 23, snake dancer, claimed she suffered bites and lacerations when Helen Bookman, 24, femme lead in floor show, attacked her with teeth and a meat cleaver.

Miss Bookman pleaded not guilty before Peace Justice Charles McDowell, of Gates, and wore her floor show finery to jail when she was unable to raise $200 bail.

## COMM'LS FROM STAGE HURT THE GATE

Pittsburgh, April 19.

Advisability of having bands playing at WB Stanley here do their commercial broadcasts from stage of theatre in future is being pondered seriously as result of Tommy Dorsey's showing here recently. Judging from take all week long, most of the would-be customers waited until night of the airing, with result that Dorsey's draw suffered during early part of engagement.

Theatre, however, held to blame some for publicizing the stage airing so widely for weeks before Dorsey's appearance. Then band's own p.a. hit town, cracking radio columns with maestro's stunt of corralling flock of amateur swingsters for cash

(Continued on page 21)

## ANOTHER ROCKEFELLER INTO THE SHOW BIZ?

Show biz is wondering whether another Rockefeller will join the family execs at Radio City. Activity of Winthrop Rockefeller, in connection with a monster rally at Madison Square Garden on ay 11, has raised the question. Rally is to help promote the Greater New York Fund, which seeks $10,000,000.

One of John D. Jr.'s sons, he is presently devoting all his time to working with William Gaxton, the musical comedy juvenile, on the big show for which talent is being lined up. Recently he flew to the Coast with Gaxton to see picture folk and film execs. Hitherto he has been in the oil biz, and up to the time of taking over philanthropic activities

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## STICKS GET A BREAK THAT WAY

**Distances No Longer a Factor with High-Speed Roads in the Hinterland—Concert Stars, Bands and Others Draw 'Em 200 Miles Away and Over**

### USUAL THING

An accumulation of unfavorable factors in the last 20 years has gradually reduced the number of touring attractions. But those attractions that still survive, notably, dance orchestras, de luxe concert personalities and occasional legits, find one encouraging development—hard cement roads.

This was dramatized last week when Nelson Eddy did an $8,000 gross in an Orlando, Fla., auditorium. Hard roads made it possible for him to draw from Miami on the south, Savannah on the north and Tallahassee on the west. Beside many towns in between.

Touring attractions today frequently derive 25% or less of their patronage from the town in which they actually appear. Hard roads have opened up wider areas of population than at any time in theatrical history. Even the most remote states are now pretty well paved.

Grace Moore's date in Raleigh, N. C., this week has reservations from widely scattered towns, such as Salisbury, Wilmington, Goldsboro, Winston-Salem, Rocky Mount, Durham and Chapel Hill.

In Texas and other western states drives of 150 and 200 miles to attend dances are commonplace. A man in Mason City, Iowa, who dotes on legit plays is locally famous for his willingness to drive across two states if necessary to catch a touring attraction.

Bus loads of clubwomen traveling from a village to a larger city to attend a show, concert or lecture is commonplace throughout the nation.

Hard roads, too, are largely responsible for the growth in recent years of the strawhats, summer theatres drawing for hundreds of miles in every direction. Such promotions as outdoor opera, symphonies and music festivals, all on the upbeat, are due to the general spread of cement ribbons. Federal funds have accelerated this road-building.

## 'Conga' Craze Grows

Tin Pan Alley scriveners have seized on the latest dance import from Cuba, the Conga, for what gives indication of developing into a new song cycle. Two numbers with the word 'Conga' in the title have already been released, while other publishers with manuscripts containing like themes are holding up print-

(Continued on page 23)

## Hillbilly Entertainer-Sponsor May Run for Governorship of Texas

Fort Worth, April 19.

W. Lee O'Daniel, prexy of the Hillbilly Flour Co., and conductor for years of his own Hillbilly orchestra over WBAP, has received such a large number of letters requesting that he run for governor of Texas that the following announcement was made on his Sunday (10) show:

'I am only an humble Texan and to me the Governorship is a sacred office...so sacred that I can scarcely believe the numerous letters that have been written to me asking that I run for that office...I am not announcing my candidacy for Governor, but if enough of you folks send in letters and petitions, I will gladly obey your wishes...this is the first time you've ever heard a candidate broadcasting in advance asking if the people wanted him to run...and if I choose to run, my campaign would be quite different...'

Thousands of letters poured in following this announcement and political observers predict that he may be a factor.

## 'Lovers Out of Love'

Eddy Brandt, songwriter-crooner at the Hotel New Yorker, who hit the front pages with his $250,000 alienation of affections suit against Herbert Marshall, screen star, involving Mrs. Lee Russell Brandt—sister of Rosalind Russell, Metro contractee—has written a new song which he's just placed for publication.

It's titled 'Lovers Out of Love.'

## STATE-LINE BETWIXT NAGS AND BETS

If the New Jersey legislature now in session doesn't okay pari-mutuel betting at the races within the next 10 days, as is more or less confidently expected, a new racetrack will be built nonetheless at Rockleigh, N. J., in Bergen County, which is six miles north of Englewood, N. J. Gimmick, in that case, will be that the betting machines will be installed on the New York side, with the racetrack proper in Jersey territory. Mutuels may be okayed for New York next year. New 172 acres just acquired by the Pegasus Club of Rockleigh, Douglas G. Hertz, president, will permit this territorial phenomenon, since the acreage spans both the N. Y. and Jersey domains.

New track is being rushed into construction to have 30,000 capacity and parking for 10,000 cars. Joe Clarke, Englewood realtor, consummated the deal for the extra land

(Continued on page 23)

## European Jitters Seen as a Boon To U. S.-Canada Tourism

Montreal, pril 19

Frequent war scares in Europe, resulting in wholesale cancellations of trans-Atlantic bookings, will divert practically the whole of Canada's $120,000,000 vacation bankroll to the United States this year.

Tourist traffic from the U. S. A., as indicated by inquiries already received, is expected to increase 25%, a matter also believed due to unsettled conditions on the continent.

American tourist business ranks as

(Continued on page 21)

THE HOUR OF CHARM
MUSIC THAT LINGERS ON

PHIL SPITALNY

PERMANENT ADDRESS
PARK CENTRAL HOTEL, NEW YORK

# Korda-Goldwyn Accord in New UA Setup May Give Them Balance Of Power in the Co.; Silverstone to U.S.

Alexander Korda and Samuel Goldwyn have a new accord with Mary Pickford and Douglas Fairbanks, without the latter having disposed of their equities in United Artists. But whether this accord, achieved last week in London, results in a new balance of power in the company, favorable to the Korda-Goldwyn group, will be known only after the shareholders' meeting to be held in New York next Tuesday (26). It is to be ratified then.

Owner-producers of the company, it is understood, will enjoy greater participation in earnings than non-producer owners, and perhaps also be given greater  y-so in the general affairs of the company.

Korda and Goldwyn with Murray Silverstone sail from London today (Wednesday) for New York. Accompanying them is Goldwyn's financial advisor, David Rose, and also Edward C. Raftery, of O'Brien, Driscoll & Raftery, counsel for Mary Pickford.

Understood that Korda and Goldwyn are bringing with them necessary proxies for approval of this new accord which was negotiated and concluded in London. At the New York meeting it is expected that the internal business and organization matters will be ratified.

This is taken to mean that Murray Silverstone, present London head for United Artists, will assume a new, permanent executive post with the company in New York. The stockholders' meeting will determine Silverstone's successor in London. Silverstone stays in N. Y. only a short time, on this trip, returning to London to wind up his personal affairs and bring back his wife and family to America.

Just where the Charles Chaplin end winds up in this new picture has not been ascertained. And the exact terms of the new accord are not revealed.

Mary Pickford is in Paris, on her cosmetic business, and Douglas Fairbanks is staying on in London.

Goldwyn,  ith Miss Pickford and Fairbanks, sailed for London a couple of weeks ago. Upon their departure they indicated that no deal was under consideration and intimated that that was not their purpose for going to London.

It also has been indicat , since, that the partners had some stormy sessions in London, and that at one point all confabs were called off. And then, just as suddenly, resumed and concluded, on the following day.

### No Korda-Goldwyn Buy-Up

London, April 19.

Original project whereby Samuel Goldwyn and Alexander Korda were to purchase United Artists shares held by Mary Pickford, Charles Chaplin and Douglas Fairbanks has been definitely abandoned.

Instead, UA will be r rganized on a basis of considerably reduced distribution costs to individual producers. Latter also  ill participate in the profits of the parent corporation on the basis of their individual picture contributions.

This is the second time that a proposition to buy up the shares of the Pickford-Chaplin-Fairbanks trio has fallen through, after apparently having been set. Other deal failed last fall.

Reported here that Murray  verstone is vacating the managing dir torship here to assume an executive position with UA in America, with Teddy Carr, sales manager, and George Archibald, director, becoming joint heads here. There also is talk of Herbert Wilcox releasing Anna Neagle's pictures  rough United Artists.

Hollywood, April 19.

Samuel Goldwyn is due back at the studio May 1 after his London conferences with United Artists' partners.

Script for 'Graus rk' awaits his okay before production starts.

### KAUFMAN ON A'S

Hollywood, April 19.

Edward Kaufman, recently shifted from RKO to 20th-Fox as associate producer, will handle only 'A' pictures at the Westwood studios.

He will work directly under Darryl Zanuck, production chief.

### Set Clocks Ahead

Sunday next (24) sees daylight saving time officially in effect.

So set your ticker ahead an hour.

# CRAWFORD-MG'S NEW 5-YR. PACT; MAY DO PLAY

Hollywood,

Joan Crawford has been sealed for another five years by Metro, after being on the Culver City lot for the past 12 years. New deal is a straight ticket,  ith provision for the actress to appear in one stage play annually, if she so desires.

Max Gordon, Sam Harris and John Golden are all interested in Miss Crawford for a Broadway play this fall.

# MAE WEST'S STREET RIOT IN HARTFORD

Hartford, April 19.

Designated to dedicate 'Mae West Safe Driving Week,' a parade held here late Friday afternoon (15) through the downtown sector turned out to be anything but that. More than a score of persons suffered slight injuries and others had hairbreadth escapes. Miss West is personaling at the State for five days starting Saturday (16). She goes from here to Loew's State, N. Y., opening tomorrow (Thursday).

The parade created one of the wildest and maddest crowd scenes here in several years. Not since Lindbergh came to town has there been such a tumult. Traffic was disrupted. The police, caught completely by surprise at the turnout of more than 30,000, had taken little precautions.

For the West bookings the State upped its admi. ion from a low of 15c. to 40c. before 1 o'clock and 55c. thereafter.

### N. Y. to L. A.

Wallace Beery.
Richard Carlson.
Lou Clayton.
Joan Connor.
Nadine Connor.
Jimmy Durante.
Glenda Farrell.
Hugh Herbert.
Meyer Kanin.
Rosemary Lane.
Lillie Messinger.
Jean O'Neill.
Merle Oberon.
Lanny Ross.
Milton Shubert.
Mr. and Mrs. Kent Taylor.

### Two for Stephani

Hollywood, April 19.

r erick Stephani's next production for Metro is 'Fast Company,' original and script by  arco Page.

Stephani follows  is with 'Make a Play for Love,' Marion Parsonnet and Harry Ruskin developing the screen play.

## In a Ringling Mood

By JACK OSTERMAN

Elephants never forget, but they gossip. Camels very seldom drink now on account of Eddie Cantor. Storks will either be fed by Sherman Billingsley or Winchell's column. Bears will relax with the wolves of Wall Street and monkeys will imitate Berle and Youngman. Detroit will take care of the Tigers and Chicago will take care of the Cubs. Mice will become men, agents will become rats and so the three-ring Circus of Life marches on with the head ringmaster knowing just what to do with each spotlight on each ring.

### Thoughts While Thinking

Irving Caesar, author of the 'Safety Songs' which he is doing so well on Rudy Vall 's program, was arrested last week for passing a red light.... Ringling Bros. Circus went on strike last week; first time a kangaroo would have to picket a tiger. And, by the way, what did the American Federation of Actors have to do with it—they stopped the popcorn vendors—can't ex-actors eat?...Would you call a sustaining program, 'On Borrowed Time?'...Ethel Barrymore in 'Whiteoaks' still proves age adds to glory or vice versa...Phil Baker is now in a corridor waiting for his fourth arrival...One of the outstanding personalities on the street, Morris Gest, one of my first bosses (it was Elliott, Comestock & Gest then) and he still looks younger than my typewriter...Renee Carroll, of Sardi's, recognizes all hats; it's the Moran and Wiser in her..An M.C. opened in a cafe the other night where they broke down the doors to get out...They had pickets in front of Bergoff-Goodman the other day; pickets wore mink coats...Milton Berle wires us that he saw a horse reading a racing form to see if he was in condition...We wish you all a Happy Easter, if we are not too late, and also want all the folks who ask us why we are not on a stage to know we haven't a manager—we are laying off direct.

# Schulberg Turning Back Tec-Art Studio to Estate

Hollywood, April 19.

Old Tec-Art studio, which for two years has carried the name of  . P. Schul rg, will probably revert to its owners, the Clune estate, July 1. Columbia is currently sub-leasing the property from Schulberg to handle the production overflow from its Grower street plant.

When Schulberg took over under a 25-year deal with annual options, he invested $200,000 in improvements. These will go to the Clune estate should he fail to renew.

Recession is understood to have blocked the efforts of the indie producer to line up a new financing arrangement since the end of his Paramount releasing deal, and report has it that he will line up with a major company as a staff producer.

### 'MARIE' RESUMES

Hollywood, April 19.

Shooting of Metro's 'Marie Antoinette' has been resumed after production had been shut down more than two weeks while Norma Shearer rested at Sun Valley.

Director W. S. Van Dyke spent the enforced vacation scouting location sites for his forthcoming 'Northwest Passage.'

### ARRIVALS

Mr. and Mrs. Robert Aitken, Joe Savoldi, Joseph Seidelman, Maurice Wolf, Giuseppe Cantu, Wallace Beery, Paul Mathis, William Bull, Sam E. Morris, Eileen Driscoll, Alberta Mansfield, Jeanne Renouardt, Mills Bros., A. Morini, Janet Scudder, Francois Richepin, Charles Butterworth, Norbert Kobler, Joseph Seidelman, Mazo de la Roche, The Duffins, Tommy Trent, Mr. and Mrs. Larry Adler, Mr. and Mrs. Louis Adler, Jerry Adler.

## Other News of Pix Interest

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## Pro-Rata Divvy on UA Profits

A reorganization of the profit-sharing setup of United Artists would follow the conclusion of the Samuel Goldwyn-Alexander Korda deal acquiring control. A salient feature of the new policy planned will be a payoff on profits of UA to producer-members, in accordance with the amount of money their pictures bring in. Thus, the pictures will benefit in ratio to the rentals which they return to UA.

It is believed the decision to revise UA so that profits are split to producers, in line with what money their pictures make for the company, originates with Goldwyn, who has always complained that his pictures have always made the profits for UA, whereas he has had to divide up evenly with the other members.

The new policy should interest outside producers who would be paid on distribution of their fil  in accordance with what that fil earn

### Morosco's Playback

Hollywood, April 19.

alter Morosco, former Fox producer, has joined 20th-Fox in an executive production spot under Sol M. Wurtzel.

orosco has spent the last several years in Europe.

# GN'S 6 WEEKS' TAKE, $277,135

Hollywood, April 19.

Grand National cash receipts from Feb. 10 to April 2 totaled $277,135, according to a statement filed in Federal Court by Loyd Wright and Edward L. Alperson, co-trustees of the fil  rm duri  its 77B reorganization.

Statement showed a balance of $88,301 on hand, with unpaid liabilities from Feb. 21 set at $23,041. Upswing of income is expected with five new pictures ready for the exchanges and more to follow soon.

W. Ray Johnson has signed Ed Finney and the latter's sagebrusher, Tex Ritter, to do a 1938-39 series of 10 films for Monogram. Grand National, for whom Finney has been producing the Ritter pictures, is said to have consented to the deal, which now must be given federal court approval because of GN's 77B.

Johnson, Scott Dunlap, production chief, and E. B. Derr are currently huddling on terms of a new deal for the latter, whereby he will continue as a Monogram producer. Derr made four pictures for the current year's program, but tal  for next season lifts his quota to eight.

Bell & Howell is awaiting Federal Court approval of a deal to distribute 16mm prints of 36 Grand National films. Contract guarantees a minimum of $16,200 from Bell's distribution of the pictures, with $9,000 to be paid on delivery of the negatives.

George Weeks, Mono's new general sales manager, is postponing his studio visit and Coast exchange tour until after the annual  ales convention to be held in Cincinnati, opening May 8.

Monogram has doubled its home office floor space in the RKO building by moving into quarters formerly occupied by Grand National. While offices for Mono have been vastly increased in size, presence in former GN offices is no connection with film company now in 77B.

### L. A. to N. Y.

Wendy Barrie.
John Beale.
Connie Boswell.
John Burke.
James Cagney.
Larry Crosby.
Dr. Saul C. Coli .
Derrick De Marney.
Sidney Howard.
Harry Kernitz.
Jack Lawrence.
Harry Leedy.
S. J. Perelman.
Herbert Polesie.
Peter Tinturin.
King Vidor.
A. P. Waxman.
Robert Young.

# Four Leading Concert Draws Are H'wood-Made; Radio and Met Help

Four of the box-office toppers in concert this season—Grace Moore, Lily Pons, Nelson Eddy and Nino Martini—are in whole or in part screen-created popularities. And four of the b.o. leaders—Fritz Kreisler, Yehudi Menuhin, Serge Rachmaninoff and Josef Hofmann—seldom are heard over the radio. Richard Crooks broadcasts, but has never  seen on the screen.

Nelson Eddy is  id to have a margin as the prevailing No. 1 concert draw, with Grace Moore, Lily Pons and Lawrence Tibbett following. This does not imply that they command higher figures from su scription series, but that they go into the bigger auditoriums and play percentage dates that rake in large grosses. Nor does it mean that the leaders can match some of the year-in-year-out small-town-big-town-good-weather-bad weather favorites, of which Fritz Kreisler is a prime example.

 irsten Flagstad, of the Metropolitan Opera, is big in concert but somewhat limited because she is chiefly a Wagnerian singer. She has appeared frequently on the radio and recently screen-debuted in 'Big roadcast' (Par).

### Long-Time Novelty

Helen Jepson, of screen experience, ditto Gladys Swarthout, are big concert draws currently. Lotte Lehmann, John Charles Thomas, Jascha Heifetz, Jose Iturbi are potent names. Musical novelty that has lasted for 12 years, defying the rule that concert novelties, as such, do not last long, is the Don Cossack Choir.

Showmanship, heart tug, glamour remain the elements that add the 'plus value' to musicianship that translates into the top concert b.o. That's why the screen build-up counts so heavily. Radio helps, too, but not to the same degree. Metropolitan opera is the best glamour source. However, it is notable that Eddy, the leader, has never sung with the Met, but has done considerable film and radio work.

Hundreds of subscription groups throughout the nation create a situation of u ique nature. As the committee chooses its own bookings each year, rather than have them booked externally by managers, the concert biz has few 'repeats.'  sually the five, 10 or 15 stars heard in any one series are completely different from the year before. Repeats usually  it two, three or more years.

Thus the concert artists are constantly playing before new rather than old audiences. Exceptions, of course, must be made of the larger cities, where repeats are common.

### SAILINGS

April 27 (New York to London) Derrick De Marney (Queen Mary).

April 21 (New York to London) King Vidor, Mr. an  rs. Spencer Tracy (Manhattan).

April 20 (New York to London) Vladimir Gol  lmann, Eric Simon, Mr. and Mrs. Richard L. Simon, Leon Rollin (Lafayette).

April 20 (New York to London) Elwood A. Hughes, Viscount Rothermere, Mr. and Mrs. Harry Richma  Georges Enesco, Mr. and Mrs.  Arliss, Clemence Dane (Aquitania).

April 20 (London to New Yor  David Rose, Edward C. Raftery, Mr. and Mrs. Sam Goldwyn, Alexander Korda, Murray Silverstone,  rren and Brodcrick (Queen Mary).

April 16 (Los Angeles to Honolulu) Tony Martin, Alice Faye, Mrs. O. O. McIntyre, Mrs. Will Hays, Mr. an  Mrs. Dick Webster (Lurline).

# '38-'39 PLANNING NO CINCH

## 20th's 1st Quarter Above $1,600,000; Par's Ditto Estimated at $600,000

Earnings of 20th Century-Fox, for the first quarter this year, were $1,1,500, very creditable under conitions. It's equal to 73c per share on common. Last year's first quarter was $2,087,599.

Paramount's rst quarter earnings are estimated, in Wall Street, to be running around $600,000, or about the same as the company's fourth quarter, last year. Paramount has around $12,000,000 cash, according to published statements of officers.

The board of directors of Paramount will meet tomorrow (Thurs.) in New York, business on agenda including announcement of annual statement of company. For 1937 the profit was slightly over $6,000,000. The annual stockholders meeting of the company will be held in New York in June.

Remaining for the directors' session tomorrow, Barney Balaban and Stanton L. Griffis are planning to leave the end of the week for the Coast, Balaban probably to stop off at Chicago.

Yesterday (Tuesday) the annual ting of 20th-Fox stockholders was held at the company's home office. W. C. Michel, executive vice-president, presided in the absence of Sidney R. Kent, president, who sailed for Europe Saturday (16) on company business.

ichel, on inquiry from stockholders, stated the company's foreign business was ahead of last year; the present earnings of the Roxy theatre are good; and for first quarter, this year, earnings of National Theatres (FWC-Skouras) were about same as this time, last year.

Present company board was re-elected unanimously by stockholders. They are, H. Donald Campbell, John D. Clark, John R. Dillon, Daniel O. Hastings, Felix A. Jenkins, Sidney R. Kent, W. C. Michel, William P. Philips, Hermann G. Place, Seton Porter, Joseph M. Schenck, Sydney Towell.

There were present, or represented by proxy, at the meeting, 2,225,000 shares of all classes of stock.

Walter Hutchinson, 20th's foreign sales chief, also sailed Saturday for the sales meeting in London and Paris. Kent will be abroad until May 18.

Joseph M. Schenck is expected east shortly on business. He will be joined later by Darryl Zanuck and Harry Brand, who are planning to go to Europe with him around June 1. Trio will await Kent's return before sailing.

Truman Talley, who was going along with Kent, is deferring his takeoff until Friday (22).

## WEISSMULLER'S TARZAN YELL SAFE AT METRO

Hollywood, April 19.

Johnny Weissmuller will continue to play Tarzan for Metro under a deal by which that studio takes over three unfilmed Edgar Rice Burroughs yarns from Sol Lesser of Principal Pictures. Weissmuller has been under contract to the Culver City outfit for six years during which he has made only three pictures.

Sale of story properties by Lesser means Principal Pictures will retire from the Tarzan field after two tries.

## Gensler Back at Par?

Lewis E. Gensler is reported returning to Paramount as a producer under a new deal.

In New York at present, he washed up with Par as an associate producer after recently completing 'College Swing.'

Gensler sails May 4 with his wife on an extended vacation in Europe. Itinerary takes in England, the inavian countries and Russi

### Protected

Hollywood, April 19.

A director, signed to a long term contract by the uncontracted prez of Par, Adolph Zukor, was reminded by the studio bootblack that the boss had his boots blackened at 8:30 and was at his desk by 9. The director, however, has a habit of breezing in after 10. Hint left director cold.

'Well,' he finally conceded to the shinician, 'if I were here like Zukor on a week-to-week basis I'd get to work before the stenos too.'

## Par's Tentative Program Setup; 16 Pix at a Time

Although the size of the program for 1938-39 has been determined, Paramount has set up its schedule in only a minor way, announcing 16 titles at this time, and thus far has not broken down its total of pictures to be scheduled into the three brackets in which distributors group film. At this time, however, it is learned there will be at least 23 pictures in the top or high percentage bracket, under plans, with possibility of nine additionals for a total of 32. Latter figure is the maximum likelihood.

Because of the fact that numerous deals are on the fire at present on pictures that will be included in Par's '38-39 schedule, a more complete setup on product will come later. Among other things, casts are yet to be worked out on several pictures.

At its two-day sales session in Washington Friday and Saturday (15-16), Paramount announced a program of 58. This is the maximum promised, the minimum being 52. Under present plans there will probably be three in Technicolor instead of two as for the current season. A total of eight westerns, to be made by Harry Sherman, in the Hopalong Cassidy and Zane Grey series, as well as 102 shorts, rounds out.

Musicals will be included.

## 'MME. DR.' WASHES UP KAY FRANCIS AT WB

Hollywood, April 19.

Warners assigned 'Madame Doctor' as the final picture for Kay Francis, who in September leaves the studio after a stretch of seven years.

Star is currently finishing 'In Every Woman's Life,' which will be followed by 'Changeli ,' then the medico yarn.

## Wanger's N. Y. Junket

Walter anger is due in New York shortly to contact United Artists' h.o. executives and to discuss plans on his latest picture, 'Adventuress.'

The picture, nearing completion, is being pointed for release about the middle of May.

Hollywood, April 19.

alter Wanger is mulling titles, seeking a new one for 'The Adventuress,' fil ing on which was completed yesterday (Monday). Picture started out as 'The River Is Blue,' but was switched to 'Adventuress' when scripting caused it to stray from the original yarn. Latter tag, he holds, is not sufficiently descriptive.

## DISTRIBS HAVE 1 BIG PROBLEM NOW

**Headache Is Chiefly to Outguess ld Man 'General Conditions' — Economic Factors, the Future, Must Determine Plenty—From Production Costs to Sales Terms**

By ROY CHARTIER

Cataloging of programs for 1938-39, none of which may be as complete as in former years as selling gets under way; the determination of budgets; allocation of talent to features planned; how product shall be bracketed; and what sales policies shall be enforced, are matters which represent knotty problems of the moment for all producer-distributors. Just what to do is largely a question of guesswork at this time, in view of conditions and a general air of uncertainty.

Planning for the '38-'39 semester requires that so much be taken into account that producer-distributors are likely to delay final setup of schedules, budgeting and other decisions later than ever before. This is probable, although most companies are rushing announcements of how many pictures they will offer for the coming year.

Because of the fact that selling can't be held back—accounts already being contacted and warmed up for '38-'39—the problem of laying out plans for the new season that will not have to be changed is all the more a distressing one this spring.

As pointed out in sales circles, no one knows what t- rest of this spring, as well as the summer, will bring in the way of general conditions, let alone conditions within the film industry. The question of whether the market will improve or get worse, whether theatre grosses will suffer this summer is more than anyone can guess at this time. Whether film rentals will be good enough to square for what will be spent in production, etc., are all questions which face the producers-distributors now.

### Crystal-Gazing Next inter

What also complicates the situation is what will happen next fall and winter, as well as in the spring of '39 when product that is planned now reaches its market. If so much more is spent than the traffic of the future will ar, the future being highly uncertain, then there is going to be suffering. This happened last spring and summer when every company committed itself to high budgeting based on juicy fall and winter expectations, only to learn, after they had gone deep into the budgets, that prior anticipations had been largely wrong. Any suddenly required economy is very difficult in producti the gearing down on the budgets is not accomplishable over night, but requires two to three months instead.

It is understood in some quarters that producer-distributing companies, with skeleton programs announced at the beginning and many pictures not designated even by title, may base final planning after it is seen how contract-taking goes. If slow, and the exhibitors are balky over terms, as it is feared they will be, due to general conditions, this may serve as a guide as to how to proceed as the new season nears. Ordinarily the season begins around Aug. 15, the date with the various companies varying according to release dates given final deliveries on the current (1937-38) year.

### Product Periodically

Although taking contracts for the full '38-39 season, in accordance with custom, and designating the number of pictures to figure in the various blocks, it is reported some compan' may announce product periodically

(Continued on page 21)

## With Spitz Back in New York, RKO Reorganization May Come To a Head; Meehan's $110 Shares

Leo Spitz, president of RKO, returned from the Coast onday (18).

In the meantime, there seems to have been little, if any progress, noted in RKO's reorganization picture, although all parties are hopeful that something definite in the way of a modified plan, or a new one, for RKO, may be ready for presentation on Monday (25), next. That's when a hearing is scheduled before Federal Judge William O. Bondy.

It is now problematical whether the purchase of the M. J. Meehan shares, Keith-Albee-Orpheum, will be made a condition in any modified plan. The Meehan price for those shares seems to be $110 per share—the call-in price. That would mean that approximately $3,000,000 would be required for thi purpose.

Without that eehan angle, the plan might require only $2,000,000 in new money, for underwriting. Whether market conditions are propitious enough for underwriters to assume that task is something that is now being weighed.

On the question of distribution of the new securities, it is fairly possible that general creditors may be given a more favorable slice than might have been previously indicated.

It's quite possible that this may be deter ined in the next few days, as soon as they complete a study of the company's 1937 audit. As previ indicated that audit shows earnings of $1,821,166, exclusive of RKO's share of K-A-O profits.

Earnings were revealed at a hearing before N. Y. Federal Judge William O. Bondy on Monday (18)

(Continued on page 25)

### Hear Ye!

Hollywood, April 19.

Too much California sunshine delayed work on 'Men With Wings' last week.

Lack of moving clouds forced William Wellman, Paramount producer-director, to ground his fleet of stunt planes for four days.

## Gene Raymond As Act at N.Y. Par, Gets $4,200 Net

Gene Raymond opens ay 11 or 18, depending on holdovers, at the Broadway Paramount, which will mark the first time a male film star has been thus booked at this house. In the case of Ben Blue, current, and the like, they're basically variety talent. Salary is $4,200 net, via Mark Hanna, as agent. He will play with his fil , 'Stolen Heaven on the screen.

Raymond's lone other week will be at the Chicago, Chi, at the same salary.

With hi , Jeanette MacDonald, is now east on a holiday.

## MARK TIME ON CHOICE WB YARNS FOR SEASON

Hollywood, April 19.

inal choice of stories for the 60 pictures on the 1938-39 Warners program awaits the return of Jack L. Warner from his two-week vacation in Hawaii. Hal B. Wallis is holding more than 100 scripts for consideration. Warners Vitaphone program, still to be set, will be about the same as 1937-38, with 134 subjects.

Two more have been tossed into the lap of Benjamin Glazer, WB producer. First to get under way will be '$1,000 Widow,' screen play which is now being written by Mork Hellinger. Second to go before the cameros will be 'Sally,' a remake of the one-time Broadway musical, for which Earl Baldwin is doing the script.

With a program of 60 features expected to be scheduled for Warner Bros. for 1938-39, same as for several years, company is holding two regionals which will be attended by executives and district managers as well as any exhibitors who wish to participate. First will be in New York, presided over by Roy Haines, scheduled for May 9-11, while the other will be in Dallas May 16-18, Ben Kalmenson in charge. Eastern and Canadian district men will attend in New York; the southern and western district sales mgrs. in Dallas.

Grad Sears, Carl Leserman, Norman Moray, Charlie Einfeld, Mort Blumenstock, I. F. Dolid, A. W. Schwalberg and Arthur Sachson ill cover both sales sessions.

### Hays Party on Coast

Hollywood, April 19.

Will Hays, Mrs. Hays and Mrs. O. O. McIntyre trained in last week; the MPPDA hear for his annual spring huddles with studio tops and his Coast office execs.

Mrs. Hays and Mrs. McIntyre sailed Saturday (16) for Honolulu, where they will be the guests of Mrs. Hays' brother, Maj. Gen. Charles Herron, military commander of the Hawaiian islands.

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# INDEPENDENT EXHIBITORS NOT WHOLLY IN FAVOR OF PROVISOS IN NEELY BILL

## Resent Governmental Interference—Many Content as Is—Others Irrevocably Opposed to Block Booking—Still Others Aver They Can't Be Bothered Judging Pix from the Synopses

inneapolis, April 19.

The vast majority of local independent exhibitors, undoubtedly influenced by their leader, President W. A. Steffes of Northwest Allied States, apparently favor the Neely-Pettingill bill. Most of them admit they haven't made a close study of its various provisions, but they want to knock out block booking and are willing to line up with Steffes, who subscribes to the same views as Abram F. Myers and is a militant supporter of the measure.

Those opposed to the bill are afraid it will have the effect of raising film costs and that the provisions against which S. R. Kent and others have been inveighing will jeopardize the welfare of the entire industry.

A surprising thing here is the fact that many of the so-called independent leaders, who usually grab at any opportunity to break into print, are fighting shy from expressing themselves for publication in this instance. With feeling on both sides running so high, they seem afraid of antagonizing Steffes on the one hand or the producers-distributors on the other by taking their stand publicly. Several prominent independent exhibitors, members of Northwest Allied and active in national Allied States' affairs, who privately will tell you they don't want the bill, but they won't talk for 'publication.' They've received letters from Kent asking them to oppose the bill and they've been impressed by his arguments and are convinced that the measure would throw the industry into confusion and provoke a turmoil injurious to all branches. However, as far as can be learned, they've not attempted to bring any pressure on their legislators.

### Afraid to Talk?

Some of the indies on the Myers' side of the fence are just as timid. If they 'shoot off their mouths,' they intimate, there may be some reprisals when it comes to buying pictures or seeking adjustments on contracts.

Abe Kaplan and George Granstrom are two of the more important Twin City independent exhibitors, owning and operating de luxe neighborhood houses, who make no bones of the fact that they're proponents of the bill.

'As a general rule, I favor anything the producers oppose, and this isn't an exception,' said Kaplan. 'In the last analysis, this law would compel the producers to make better pictures—ones that won't lie on the shelves. While some of the regulations may impose hardships, they are bound to come and the sooner they're put in force the better. And the game will be worth the candle. Better pictures will mean more money all around. The goal gained will more than compensate for any temporary disruption of the industry.'

'I want this law,' says George Granstrom. 'I favor the measure from start to finish. Operating under its provisions, the entire industry would gain, in my opinion.'

### How One Cincy Exhib Sees It

Cincinnati, April 19.

Harold Bernstein, owner-manager of the Plaza theatre, Norwood (suburb), and president of the Greater Cincinnati Independent Exhibitors, is very much in favor of the Neely-Pettingill bills.

'Such legislation,' id Bernstein, 'will definitely stop production of poor box office pictures.

'Good pictures are the only ones that bring business, and producers can make better pictures than they have been turning out. This they will do if the Neely measure becomes a law.

'These bills also will stop the practice of producing companies of announcing any number of big productions and then coming through with no more than half of them.

'The proposed legislation will put the industry on a businesslike basis. It would undoubtedly be better for the industry to settle its own problems, but by past performances that has been proved impossible.

'What's more, it would open competition in the producing field by inviting fresh capital and new companies.'

### Providence Indies No Like

Providence, April 19.

Indie exhibs here see ultimate loss of their present position if the Neely bill passes. They oppose the bill as impracticable under existing conditions.

Edward M. Fay, operator of the Fay's, Majestic and Carlton chain, has notified Rhode Island's senators in Washington of his stand. He declared: "I am opposed to the Neely bill because it is impractical to operate independent theatres under present conditions with any added handicap. The business has changed a great deal and grown in the last several years. An independent exhibitor could not maintain his present position by buying pictures one at a time."

Ed Reed of the Strand supports block-booking as an insurance against the placing of i ie theatres on the block. Conditions are bad for any such bill. Let's have more action and less talk.

Tony Romano, with the Empire, Bijou, Palace, Park and Playhouse on his string: 'I can't picture myself spending most of my time reviewing pictures. Buying individual pictures is a job in itself. It's true it will eliminate the necessity of buying a lot of shorts and newsreels, but the disadvantages far outweigh the advantages.'

### aryland Exhibs Oppose Neely

Baltimore, April 19.

Opinion here is considerably divided as to the pros and cons of the proposed Neely-Pettingill bills. Independent downtown de luxers are unanimous in opposition and although the more important nabe operators are of similar mind, their organization, the Motion Picture Theatre Owners of Maryland, have gone on record as favoring the legislation. General feeling is that affiliation with the Allied is the primary reason for the affirmative stand and that an early and rather unstudied consideration of the contents of the bill resulted in hasty approval. Mounting opposition gradually crystalizing but not yet sufficiently strong enough to bring about a reversal of the official attitude.

Most outspoken critic of the organization's stand is Tommy Goldberg, operator of two nabes, who is carrying his opposition to the bill into legislative channels via Congressional and Senatorial pressure. Branding his fellow exhibs as 'curbstone commentators' and scoring their lack of aggressive attitude, Goldberg forsees passage of the legislation unless opponents match political pressure with the partisans.

### No 'Evil' in Block Booking

'I can't see the evil of block booking,' said Goldberg, 'especially from the point of view of the neighbc hood exhibitor who must make two or more changes a week. You can't shop for individual pictures. Assured dates are far more important than pot luck spotting based on variable opi ion and questionable story value. How many neighborhood exhibitors are able to analyze a synopsis and gauge its box office value accordingly? What is to prevent a distributor from charging equally as much for a choice of 25 pictures as a block booking of 50. Certainly the added cost of maintaining a finished inventory must increase selling costs. There is a far more comfortable feeling in knowing that product and playdates are assured rather than gambling for individual films put on an auction block and knocked down to the highest bidder.'

There are modifications in the present selling set-up that could be instituted to the benefit of the exhibitor, according to Goldberg. A better cancellation privilege, applicable by exhibitor as well as distributor; classification of pix when available instead of a proc astinating revaluation based on chain returns; commitments by stars rather than by titles and stories; are some of the reforms he urges.

A reflection of the opinion of first run indies, was expressed by J. Lawrence Schanberger, of Keith's. 'I am a little afraid of reform by legislation,' said Schanberger. 'One never knows what is exactly behind attempted regulation by government. Speaking for my own theatre, I must say that my lealings with the two distributors who supply my product have at all times been eminently fair and sympathetic. We have always been able to work out mutually satisfactory arrangements. There is no telling when restriction by legislation will end once it gets a start.'

Another downtown de luxer, was more direct. 'If the Neely bill goes through,' he sai , 'the independent exhibitor might just as well go out of business.' Partisans of the legislation, approached for statements, refused to comment for publication. All were quick to agree, however, that locally, at least, relations between exhib and distributor, are most friendly and cooperative. Town has been one of few able to eliminate double featuring, bingo, banko and giveaway gimmicks.

Des Moines, April 19.

The Allied Independent Theatre Owners of Iowa, in convention here this week, prepared resolutions favoring the Neely bill and plan to reiterate their appeal to women's clubs and organizations in smaller cities over the state in an effort to arouse support for the bill.

### Indpls. Afraid of It

Indianapolis, April 19.

Sentiment of local independent exhibitors here is passively against the Neely-Pettingill bills. Fred Dolle, co-operator of the Apollo, Circle and Indian theatres, is reported to be unfavorably disposed towards passage of the bills. Ted Nicholas, manager of the vaudfilm Lyric, said:

'We believe these bills to be not a good thing. If block booking is abolished, the best pictures will be put on the market to the highest bidder, which means that the smaller operator, or the operator who must also include a stage show budget, will get none of the best product. We could not afford to bid as high for the best pictures as a straight film house having several thousand more seats than we do. Our present booking setup gives us our share of the top pictures which we would not get if the Neely-Pettingill bills were passed.'

### Detroit Indies for Neely

Detroit, April 19.

In its original form, minus any revamping, the Neely bills now before Congress are generally favored 100% among Detroit and Michigan indie exhibs. Even the opposing exhibs believe the anti-block booking phase of the legislation would be beneficial if worked out carefully.

Several large indie operators, covered in the survey, admitted they had not made a minute study of the proposals, apparently believing that the bills would not reach the stage of passage to get excited about 'em. Had a rough idea that bills were okay in principle, but were not concerned with details as yet.

Fred DeLodder, operator of several nabes, declared he favored the Neely stuff in its original form. 'If they start revamping the bills, as rumored, it won't be so good. I'm for it 100% as it now stands.'

Another who accorded blanket approval to the proposals was Jim Ritter, o rator of a Detroit circuit of nabes, who expressed hope the bills wouldn't be revamped in any way to lose 'effectiveness of present for .'

### Okla. Opposes U. S. Control

Oklahoma City, April 19.

The Neely proposal will place too much Federal regimentation over the motion picture industry and is an unnecessary proposition inasmuch as there is no problem facing the industry which cannot be ironed out between producer and exhibitor. Such is the opinion of Oklahoma theatre owners on the Neely bill as expressed by Morris Loewenstein, prexy of the local MPTO and secretary of the MPTOA.

'Both sides have faults in common but to my notion an intelligent consideration of the MPTOA 10-point program would solve this and most other difficulties,' Loewenstein stated, 'and we must always remember that in any business the political angle is just plain dynamite regardless of the sincerity of those individuals or groups who may be in power at any time, now or in the future.

'The lack of definite understanding of the problems of the motion picture industry, of picture making and of picture selling by any individual or group not in very close touch with the industry is a natural handicap from which neither exhibitor nor distributor could expect the type of relief to which they are entitled.

'To my mind both sides are sincere in their beliefs of what is best for the industry and the men who make up every part of that industry, but seem to have lost their bearings in the solution.'

Loewenstein, who operates a single indie theatre here, has been in close touch with indie operators in every section of the state since the Neely bill first saw daylight and feels that he expresses an accurate opi ion of the feeling of these exhi itors.

### Calls Neely Bill 'Silly'

Lincoln, April 19.

High state officials here have written letters to Nebraska's senators and congressmen asking them to vote against the Neely bill. Letters say they have no knowledge of any complaints ever having been made to any state officer against the handling of picture sales as they are now conducted. Some of the letters branded the legislation as silly.

### Iowa-Nebr.'s Pros and Cons

Omaha, April 19.

Reaction of exhibs in Iowa-Nebraska territory to Neely-Pettengill bill is a controversial subject. There's considerable variance of opinion with most exhibs having both pro and con ideas on matter.

In general, consensus among indies appears to be that some good is bound to come from the measure, although bill will not be in any sense a complete solution of the problem. On grounds that bill is opening gun in program that may eventually find happier solution, general run of exhibs are treading a middle path. Basic attitude appears to be 'what have we got to lose?' and neither opposition nor support in this territory is very determined.

One western Iowa exhib is strongly supporting the bill on the assumption more is to be gained by the small exhib. His support is based on the idea that the bill will strike at large producer-distributor-exhibitor companies, or at least will start trend of thi ing along this li .

'Eventually,' he said, 'the industry will have to give exhibiting back to the exhibitors. It has to come, and the Neely act is the first step.' Idea was not limited to this exhib.

### Why Not Work It Out Within the Biz?

On other hand one school of exhibs taking attitude that evils mentioned in bill are nothing t t trade cannot work out within itself, and Government intervention is unnecessary and unwarranted. This group taking 'hands off' as a slogan, but not objecting vociferously as figured Government action will get ball rolling immediately whereas it might be matter of years if left to trade itself.

Southeastern Nebraska exhib claims that block booking in itself not so much of an evil as is advantage distributor-exhibitor chains have over indies.

In addition he stated that requiring synopsis in advance for every picture sold would seriously cripple industry under its present setup. He sai , 'While buying ictures in groups has its evils, it also has a considerable advantage in letting an operator plan in advance. It's done in other trades, such as newspapers which contract wi syndicates by the year for entertainment for their readers. Why stir up such a fuss about a trade practice which has grown up with the industry and can be ironed out if the trade wants it so?'

A number of exhibs have expressed the belief that proposed measure too drastic, but are laying low on opposition on theory that heavy scouring is better than none.

### NW for Self-Regulation

Portland, Ore., April 19.

A more or less unanimous chorus of 'no' is to be drawn from the general opinion of independent exhibs in this territory regarding the Neely-Pettengill bill. There is a sprinkling of those who believe that distrib-exhib evils must be corrected and that the bill is a step in that direction, but the majority are aloof to flying to new terrors in place of existent inadequacies.

Ted Gamble, general manager of J. J. Parker theatres, has for the last nine years been the recognized leader of independent exhibs in this area. With a good slant on both sides of the question, Gamble puts it this way:

'Almost ithout exception every exhibitor ith whom I have discussed the Neely-Pettengill bills can see no answer to the exhibitors' problems through passage of the Neely bill. It is hard for me to believe that any thinking exhibitor who has read and analyzed the bill can be in favor of its passage.

'It is alleged this bill will aid the exhibitor in the mechanics of buying and booking. Strange as it may sound, it is my firm conviction that the manner in which pictures are purchased and booked, as a whole, is not a serious exhibitor problem at all. I am fully conscious of the exhibitors' existing legitimate grievances; and am just as firmly convinced that they could never be settled to the benefit of the exhibitors by any sort of Federal legislation. There is a proper place for the regulation of our industry and that is within the industry itself. Some step should be made to set up a conciliation board to arbitrate differences between the distributors and exhi itors.'

This largely expresses the general attitude of independent exhibs of the North Coast. Less expressive in their utterances, they have been more or less complacent about the bill. There is some scattered sentiment that any kind of regulation would be welcome to correct abuses in present selling methods. Some independent exhibs prefer to wait and see what happens. The majority seem to coincide with the opinion expressed by Gamble, who adds:

'There are some abuses in the present method of selling, and I believe there are some distributors who are selling product which they have every intention of delivering, but who are not making proper allowance for their failure to deliver that for which a certain price has been paid. This, of course, is the exception, and for that reason no one should be in favor of disturbing the only method yet devised by which producing companies can intelligently produce, and distributing companies intelligently distribute to a vast industry its life blood.'

---

# Neely Bill's Miss-Out This Session

Washington, April 19.

Chance to get the block-booking bill before the Senate was reputedly l t last week because Senator M. M. Neely, sponsor of the film reform measure, and Democratic Leader Alben Barkley failed to take Senator Sherman Minton of Indiana into their confidence.

Play involved a motion to make the Neely bill the 'unfinished business' as soon as the Senate finished work on a patronage measure involving selection of postmasters. But when the pending proposition was disposed of, Minton, who temporarily occupied Vice-President Garner's chair, recognized Senator Carl Hatch of New Mexico to call up one of his pet proposals.

Neely's prospects aren't very bright at the moment. The navy building bill, several appropriation measures, and vital conference reports are likely to keep the calendar congested for the next couple of weeks, while the lawmakers are driving to finish by May 14.

---

# So. Cal Indies Meet

Los Angeles, April 19.

Annual meeting of Independent Theatre Owners of Southern California will be held May 2 to elect a board of directors which in turn will name officers for the ensuing year.

Discussion of the Neely-Pettingill block-booking bill, methods adopted by distributing organization for the new buying season, forcing of short-subjects with feature buys and other matters will come up before the membership.

# GOV'T THREAT MAY HELP BIZ

## Showmen in England and America Don't Favor Film Tiein with Tele

London, April 7.

schools of thought exist among U.K. exhibitors on the problem of television in relation to their theatres. One group is for a boycott of distributors who hire film for radio use, other is for closer collaboration between Cinematograph Exhibitors' Assn. and the British Broadcasting Corp., with a view to finding compromises where either might overlap the other.

Latter plan was first propounded by Sir Stephen Tallents, public relations officer at BBC, speaking at a London exhib luncheon, and has now been picked up by London and Home Counties section of C.E.A., which is urging the national executive to contact the r io corporation. Suggestion is a joint committee could be established to consider all items of mutual concern.

Strong arm proposal arises from meeting between C.E.A. officers and representatives of newsreels, following exhib complaints that television of topicals in quencheries and spots where the public foregathers was inimical to legitimate theatre business. Exhibs aver they are losing patronage on account of free television experiments in night clubs and such spots. B.B.C. transmissions at present are restricted to within a radius of below 30 miles from their London station, and total number of sets in operation is well under 5,000, so it appears clear what C.E.A. is more worried at the future potentialities of television competition; not the existing situation.

Nevertheless, threat is to cut off business relationship with all distributors who hire newsreels, cartoons and other picture footage to B.B.C., which, if it became effective, would immediately cause the distribs to drop their radio contracts. B.B.C. suggestion, meantime, is to publish an announcement in front of televized film, forbidding presentation to the public.

In the whole circumstances, it appears the conciliation plan will receive more favor within C.E.A., matter being due for airing by General Council this month.

### The U.S. Slant

Feeling within American film circles is that the only way television can be halted in denting the box office is for the industry to refuse permission to use of films in television broadcasting from the outset, whether pictures are old or new.

There is no question that television looms as a bugaboo to the film industry. Reassurances from electric companies and others has not altered the apprehension held privately by picture officials.

It is planned to use films in television broadcasts from the first because of saving in cost and also because of the fidelity in both sight and sound available through them. Those in touch with the television set-up acknowledge that picture negatives not only will speed up the arrival of televistic programs, but surmount the high-cost obstacle, now so apparent.

Familiarity with such situation is arraying an unbroken industry front to their usage even now. Industry chieftains are cognizant of such circumstances which would make it possible for owners of sets simply to twirl the televisor and be able to see feature pictures that otherwise they would have to pay 25c. or more to view in the theatre.

Failure of picture producers to release any film for television would force the new entertainment field to make its own films or stage its own studio shows, in the opinion of picture execs, which is probably why television technicians look for a delay in launching the broadcasts n a commercial scale.

Some see a return of flesh to the theatre, with picture producers controlling stage presentations on a vast scale, should television display signs of reaching out for talent.

Major producers were asked several months ago if they would supply television broadcasters with old short films to be used in experimental work only. All agreed to supply these on the basis that they were to be used in television experiments alone.

Film companies state that release of shorts or features to television will be entirely a question of economics. Few admit that television companies could offer sufficient rentals for pictures to persuade film companies to sell them in preference to, regular exhibitor channels.

### B'way Spite Fence

Steel picket barricade separating Seventh avenue from Broadway in section where these streets cross each other in the 40s is tagged a 'spite fence' by Broadwayites.

Showfolk say it once and for all settles the question as to which buildings are on Broadway and which on Seventh avenue in this area.

## NAT'L THEATRE CONV. IN AUG. ON COAST

Los Angeles, April 19.

Second annual convention of National Theatres Corp., embracing all Skouras Bros.-operated circuits for 20th-Fox, will be held first week in August at Del Monte, Calif. Attendance will be around 150, including Spyros Skouras, home office execs, all division and district managers of the several circuits, booking heads and others.

Spyros Skouras, who will preside at the powwow, will invite production heads of all major companies to speak one day during the confab.

Second nationwide business drive of National Theatres gets under way this week, to run through week of July 4. Three major prizes totalling $10,000, to be distributed to the winning divisions or districts, will be split, $5,000 for top position, $3,000 for second and $2,000 for third.

In addition, if all operating circuits combined reach an established quota, an additional $5,000 in bonuses will be distributed. Top house manager in each operating district will win a free trip to the Del onte convention, in addition to sharing in the 10G's cash.

Drive, as far as the Fox West Coast circuit is concerned, will be in addition to a second quarterly business drive now under way over that circuit. Cash bonuses totalling around $300,000 have already been paid out by F-WC a squarterly drive awards over the past three years.

## NINE READY FOR THE CAMERAS AT WARNERS

Hollywood, April 19.

Scripters at Warners have been turned loose on screen plays of nine pictures on the spring production slate. Leading off is 'The Changeling,' Donn Byrne tale with Crane Wilbur scripting. Another Wilbur script is 'Girls on Probati ,' story of a wayward lass.

Lee Katz is screenplaying 'California Adios,' a historical yarn, and George Bricker has completed 'Heart of the North,' a mountie adventure.

'Brother Rat' is close to screenplay completion. 'Baby Doctor' is being scripted by Charles Bonner and 'Racket Busters' by Warren Duff and Robert Rosson. Bryan Foy has another Torchy Blane and a Nancy Drew mystery play in preparation.

## NEELY INSPIRING BETTER ACCORD

**Inclination for Roundtable Clarification of Time-Honored Exhib-Distrib Differences Now Manifested—All Factions Prefer This to Any Governmental Interference**

### HOUSECLEANING

While arguments of more responsible exhibitors still continue to be against the Neely anti-block booking bill, belief is increasing in the business that the recriminations stirred up by the measure may go far towards correcting many outstanding trade practice evils. As one veteran exhibitor expressed it this week, the presence of the Neely measure in the Senate may be the one thing to convince picture companies that something must be done to correct the present relationship between distrib and exhibitor.

Few in the trade believe the Neely bill will correct faulty trade habits, such as overbuying, clearance, exhi itor grievances and unsatisfactory exhibition contracts. What the wiser heads do think now is that there is less to fear in the Neely bill than in the demand for housecleaning that ay result from the uproar on the measure.

To some observers, it seems apparent that leaders in the industry have become awakened to the necessity of cleaning up their own home affairs. This naturally would include the mooted questions outlined by various trade organizations, particularly MPTOA.

One of the outstanding things expected to receive first consideration is some form of conciliation that would in no way conflict with present anti-trust laws. This would give the industry such machinery as needed to adjust grievances on the part of the exhibitor or distributor. Nothing like this is provided in the Neely bill.

Discussions in the past week on the Neely measure centered on the possibility that the smaller exhibitor would be hardest hit the way the proposed legislation operates. The exhib using flat rental films almost exclusively is bound to be hurt, it is claimed, because such flat films are bound to be upped in fee. One estimate was that it would be twice the present amount.

Thus an exhibitor figuring on 20-25% of gross for film rentals would have to lay out 50% under the Neely measure. The $10 program would cost $20. Just how the small-time exhi itor would make up this difference is not known. But leaders in the trade are certain that the synopsis clause and necessity of selling each picture separately would virtually eliminate the low cost flat rental product. Little material change is expected for the percentage rental features going to the larger exhibitors since the cost of distributing to them would not be drastically increased.

One comment on the outcome of the present anti-block booking drive was that if the industry is regulated by a criminal statute (if the Neely bill becomes law), there would be little inclination to go ahead with any industry reform program.

## Alice Faye's 10c-a-Dancer

Hollywood, ril 19.

Alice Faye has been awarded the stellar role in 'Dance Hall,' which 20th-Fox will produce on a pretentious scale with 'regory Ratoff directin

Picture will go into production around May 15, when Miss Faye and her mate, Tony Martin, return from their belated honeymoon in Honolulu.

## Two Ad Agency Conventions Will Seriously Analyze Commercial Pix

rowing importance of commercial films in the lives and thinking of advertisers and their agencies is evident this year in the attention the subject is expected to receive at the respective conventions of the trade organizations. American Association of Advertising Agencies is meeting currently at White Sulphur Springs, W. Va., and the Association of National Advertisers will have a closed session at the Westchester Country Club, Rye, N. Y., May 4-6.

After years of fighting industrial films, or at least regarding them dubiously, the advertising agencies, under pressure from client demand, are showing an increasing interest.

Film-making, as a demand upon their talents, thrusts the advertising agencies into the realm of a difficult form of craftsmanship with which they are largely unfamiliar. Hence the present outbreak of research studi , feverish inquiries and surveying of the problem. That, in turn, makes discussion at the spring conventions a must.

Industrial films have been sold as ideas and created as productions outside the agencies by film companies. Some of these compani have (and still do) regarded the agencies, or some agencies, as resistent and non-cooperative influences. Ad agencies in turn aren't so sure they want to let the outside production firms get the negative costs minus commission under circumstances where the agency is rather left out of the actual control of picture-making, apart from okaying the working script, etc.

Comparisons are being made between the present dilemma of advertising agencies facing the possibility of a growing form of advertising and their relationship to radi in its formative era. Having in mind their ultimate take-over of production authority of radio programs, the majority of agencies sense that they may have to smarten up and staff up to protect themselves on film-making.

One whole session of the A.N.A. convention at the Westchester Country Club is expected to be devoted to commercial films. Johns-Manville Co. will be prominent in the discussion. It is expected that the recent United States Steel pictures (reviewed in this issue) and many others will be exhibited and discussed. All very closed doorish, however.

### Toss a Coin

Hollywood, April 19.

Warners executives were jolted when they discovered a Pat O'Brien among the credited players in Harry Sherman's 'Bar 20 Justice.' They have a Pat O'Brien of their own but can't do anything about it.

With both names legitimate, the O'Briens are standing pat.

## LIVINGSTON'S ANTI-TRUST SQUAWK

Lincoln, April 19.

Nebraska's attorney general, after conference here with R. R. Livingston, Capitol manager-owner, indicated he had in mind, among other things, possible investigation of the monopoly control of film sales in the state. He said Livingston, and others, had indicated to him that subsequent runs on some films were not sold, yet refused him when he offered a price equal to any the films had ever commanded before.

Livingston recently broke ith J. H. Cooper, who had been furnishing him second run films. Livingston successfully negotiated the Paramount second run contract, ditto Universal, and wants 20th-Fox, which has been so far refused hi

Cooper furnished the second runs and for their use Livingston was called upon to kick in 40% of the gross to the J. H. Cooper Foundation, a charitable organization. Livingston handed over $26,313 in 57 weeks under the deal—before the break.

## FOUR CLIENTS SUED BY AGENTS IN NEW RULING

Los Angeles, April 19.

Four breach of contract suits for a total of $53,100 were filed by two agencies against four clients last week. Flood of similar cases is expected since California supreme court ruled that cancelled contract disputes need not first go to the State Labor Commission for arbitration.

Howard Lang, Ltd., is asking $16,999 from Marc Lawrence, actor; $10,000 from Lewis D. Collins, director, and $7,500 from Barbara Pepper, actress. Rebecca & Silton wants recovery of $18,700 from Rita Hayworth, film player.

## Bill Powell's Deductions Has Tax Dept. Probing

Washington, April 19.

Another tiff between Hollywood and the Treasury over items of a film star's budget, which constitute business expenses, was referred to the U. S. Board of T Appeals last week.

Fighting a claim for $1,650 in back taxes for 1935, William Powell asked for a review of deficiency assessment by the Internal Revenue Bureau. Among the items involved are laundry and cleaning bills for $100, tips to studio workers totaling $562, and allowances for theatre admission taxes aggregatin $100.

### Lamour's Encore in Sarong

Hollywood, April 19.

Paramount has decided to re-team Dorothy Lamour and Ray Milland for its forthcoming production, 'Tahiti,' which will be filmed in Technicolor.

George Arthur will produce.

## GINGER ROGERS-RKO TIFF OVER SIESTA

Hollywood, April 19.

Ginger Rogers and her studio, RKO, are tiffing over what constitutes a proper rest period.

She was ordered Monday (18) to start rehearsals at once with Fred Astaire for 'Carefree' but she insists she won't report until the week-end or even later.

Studio gave her a 10-day respite after finishing retakes for 'Having Wonderful Time,' but balked at any additional time off.

## Brown on Cantor Yarn

Hollywood, April 19.

Lew Brown, signed to a term writing contract by 20th-Fox, will pen the comedy treatment for Eddie Cantor's next picture. First assignment, however, is the scripting chore on 'Straight, Place, Show,' forthcoming starrer for the Ritz Bros.

Brown has already checked in at the studio. He was last at RKO.

### 'BLUES' FOR WALSH

Hollywood, April 1 .

Raoul alsh will direct 'St. Louis Blues' for Paramount, with Jeff Lazarus as executive producer assisted by Alex Aarons.

Musical will feature George Raft, Shirley Ross, Tito Guizar, Bett Grable and Elizabeth Patterson.

# Lefty's Gonna Arrange a Screen Test with Real Film in the Camera

### By Joe Laurie, Jr.

Dear Joe:—

We were all set to leave here, but Aggie figured it would be nice to spend Easter here with our pals; anyway, she had some more shopping to do, not for us, but for Junior. By the time she gets finished buying him stuff he'll be the best dressed kid in Coolacres, which is like being a headliner in Mobile, Alabama. I've been around getting the kid a lot of autographs from vaudeville people, because I figure those will be very rare in a few more years and more valuable than picture actors.

We certainly had a swell Easter. In fact the best one me and Aggie ever had; you see, this is the first one we ever had a kid, and it sure makes a difference. All I ever remember of Easter is that when we were kids, Easter meant that we took off our heavy underwear and got rid of our overcoats, which by Easter time needed getting rid of. We took off our high shoes and put on new ones with a high-pitched squeak in 'em. If the old man was working we'd get a new suit, and no ki in', we'd get a bat and ball with it or a whistle on a rope if it was a sailor suit. Of course many an Easter the old lady didn't have any dough, but she'd launder the blouse and clean the pants and get a new ribbon for the bow tie and we'd look nearly new anyway.

We'd get up Easter morning and each kid in the family would go for the egg hunt through the house; it didn't take long for us to find them because we only had three rooms. Of course the eggs were part of our breakfast, but we'd save 'em for the next morning. And when I got in show business, all Easter meant to me was an extra show, and I'd look in store windows and see bunnies, chicks and eggs, and wonder who ever used 'em. So, when Aggie brought home some eggs and started to color them and fix up the chocolate bunnies and chicks, I thought it was kinda foolish, and I said, 'Aggie, Junior is too young to understand this stuff.' And Aggie said, 'Lefty, he may be too young, but we ain't too old to understand. Easter is the grandest day in the year. Chicks come from their shells, bunnies are born, and God's Son came from the Cross and lilies bloom to celebrate it. Let us be kids with Junior.'

So we had an egg hunt and acted like a couple of kids and we got under the bed and chairs 'n everything in the place looking for the eggs, although I said to Aggie we could have gone on the stage at Youngstown, Ohio, and found plenty of eggs we laid there. It was Easter, so Aggie laughed at that one. Then we put on our new scenery and paraded on Hollywood Boulevard and it was swell. Even Junior tried to walk.

Me and Aggie got to gabbin' about what a swell Easter parade it would be to see all the troupers with their kids. Some of 'em we held on our laps in dressing rooms while their parents were trying to get snickers from a hardboiled audience. Can you imagine a parade with Crawford and Broderick and their boy Broderick, Bing Crosby with all his boys, Bob Burns with his gal, Pat O'Brien with his kids, Orth and Codee with theirs, Ed Robinson with his heir, Billie Burke with her daughter, Fannie Brice with Frances and Billy, Julius Tannen with his boys, Keno and Green with Mitzi, ic Moore with his gang, Eddie Cantor with his girls' class, Arthur Blondell with Joan; Doug Senior with Doug Junior, Fred Stone with his bunch, Fred Astaire with his pride and joy, Hymans and McIntyre with Leila, Bill Collier with Buster, Pat Rooney and Marion Bent with Pat the 3d, Herman Timberg with his talented kid, and if everybody in Hollywood that adopted kids would join the parade it would be bigger than the Legion Convention. I'd like to get the movie rights to it.

Vic writes me that the business is getting better and that the people in Coolacres are voting in the popularity contest he is running like it was a national election. I fixed it so here that the winner will get a test with real film in the camera.

Give our best to the boys and gals and tell 'em me and Aggie wish 'em a Happy Easter. Sez

*Lefty.*

Phil Baker sez, 'We don't mind the bad points of a thief who is willing to lend us money or the good points of an honest man that refuses us.'

## Yermi Stern Gets 6c Award Vs. WB Over 'Go Into Your Dance'

The reputation of Yermi Stern, nitery operator, was damaged to the amount of 6c by the Warner Bros. picture, 'Go Into Your Dance,' a jury before Judge Samuel Mandelbaum in N. Y. federal court, decided yesterday (Monday). Stern and the Casino Productions, Inc., which, in 1934 and 1935 ran the Casino de Paree, N. Y., had sued WB for $500,000. Claim was that the night club sequence in the picture had injured the Paree's business and the character of the 'Duke,' which Stern interpreted to be a take-off of himself, had held him up to ridicule and contempt. After a three-day trial, Judge Mandelbaum dismissed the corporation's suit, by consent, but permitted Stern's case to go to the jury.

The Warner defense in the case was a general denial that the objected character of the picture was intended to portray Stern. It was admitted the name, 'Casino de Paree,' was used in the picture but that Stern had given his consent to its use believing it would be a build-up for his place. During the trial the judge and the jury had a private showing of the picture.

## All the World's—

Hollywood, April 19.

Five major studios have endorsed the plan for a cooperative little theatre to be used by studio employee clubs.

Paramount, , RKO, 20th-Fox and Metro have approved the idea, originated by Richard A. Blaydon, chairman of Paramount Little The-

## TOM MIX'S 'UNDER SIX FLAGS' FILM PROD. YEN

San Antonio, April 19.

Tom Mix, traveling in a $20,000 'bunkhouse on wheels,' uncorked a raft of plans for his next mustang epic, while in San Antonio for a two-day stand with the three-ring trick under his aegis.

Inside stuff he spouted may have been for the reading public, but vet cowboy said he'd been working on the script of 'Under Six Flags,' flick dealing with the early history of Texas, for the past five years. Galloper said picture will probably be filmed in Pecos region of west Texas early this fall. Story will chronicle lives of famous Texas heroes and events surrounding them.

'This picture is going to be authentic,' Mix said. 'Besides knowing a good bit of Texas history myself, I've spent quite a lot of time in research work at Austin (the state capital) and I believe that I'll be able to put on the screen for the first time what is really behind this great state.'

## Deval's Film 'Widow,' Then Pair of Stagers

Hollywood, April 19.

Universal has brought Jacques Deval out from Manhattan to write the screen play of 'Serenade for a Wealthy Widow,' which Joe Pasternak will produce.

Deval is slated to return east during the summer to collaborate with Sir Cedric Hardwicke in producing two Broadway plays during the early fall. First will be 'Lorelei,' slated for a September premiere, and 'La Malibran,' skeded for an October unveiling.

Deval will seek Hollywood talent for both shows during his stay here.

### Where's Gleason?

Hollywood, April 19.

Credit sheet for Republic's forthcoming 'Everything Happens to Us' reads:

Producer: James Gleason.

Screen play: James Gleason and Paul Gerard Smith.

Co-director: James Gleason.

Stars: James, Lucille and Russell Gleason.

## Silent Reissues Proving a Good Boxoffice Stunt

Excellent returns being grossed and extended runs being enjoyed by several reissues of old silent features has been the big surprise in the industry as the tag end of product is beginning to crop up.

Majority of the silents are going into smaller houses and so-called arty spots in many localities throughout the U.S. But instances have been reported where an exhibitor with a neighborhood spot has bolstered his box office by smart showmanship.

'The Sheik,' venerable silent, is now in its third week on the Coast and going strong elsewhere, according to reports received in N.Y. Its success has brought 'The Son of the Sheik' also out of the vaults. One exhibitor in Washington, D. C., advertised it as 'silent picture, with titles and piano player' and then lived up to billing by employing a pianist to play the entire picture from the old-time cue sheets. Small seater of only about 400 capacity, house is credited with doing capacity business last week.

Another theatre along the Atlantic seaboard displayed a type of showmanship by rounding out his program with an old color short, 'Alice in Wonderland.' Preceded showing with screen announcement that the film never was released generally and that the house possessed the only print in existence.

Reaction of many patrons to the silents is that the dialog seldom is missed when music accompanies the showing.

Reissue of 'The Sheik' with music and sound effects added looks cold after considerable discussion of the matter within Par. Although two test showings of the oldie at the Filmarte, Los Angeles, brought terrific business, it is feared in the sales department of Par that this was due to local interest in Valentino, but that in other parts of the country the reissue would be a dubious experiment.

'The Sheik' was made in 1921, one of the biggest grossers Par ever had.

New York city felt the freakish trend towards silents this week when D. W. Griffith's 'Birth of a Nation,' probably first big spectacle grosser, opened at the Cohan on Broadway.

## COL.'S SALES PLANS TO BE SET THIS WEEK

With return to New York Monday (18) of Abe Montague, general sales manager of the company, discussions are expected to be held on setup of Columbia product for 1938-39 as well as on convention plans. It hasn't been determined as yet whether Col will hold a national sales meet or follow the lead of other majors with regionals.

Expected that the company will schedule the same program this year, 42 features and 22 westerns.

## Abel Cary Thomas' $67,392 Due for N. Y. State Taxes

Abel Cary Thomas, formerly of Thomas & Friedman, attorney for Warner Bros., and formerly its secretary, was slapped with a judgment for $67,392 representing his N. Y. state income taxes, interest and penalties for 1933-1936. Judgment was filed Friday (15) in N. Y. supreme court by Deputy State Tax Commissioner Morti 1. Kassel.

The papers give Warner N. Y. offices as Thomas' address.

# The Girls' Eye View

### By Marian Squire

**Loy and Tracy Suffer for Gable**

With three Hollywood aces and some swell plane shots, 'Test Pilot' goes successfully about the business of laying on drama and suspense. Then the story gently expires leaving the audience as grounded as 'Test Pilot' No. 1, Clark Gable. Story may be summed up in one line—life is tough on a test pilot's wife. The superb performances of Spencer Tracy as Gable's mechanic pal, Myrna Loy as Gable's wife, and Gable as the sky-minded tester, keep life and vitality in the film for some time. But a succession of Gable going up in the air and Tracy and Miss Loy staying on the ground worrying about him, begins to put a slight strain even on their capabilities.

A spectacular and convincing death in a crash marks Tracy's exit from the picture, and Miss Loy's worries are neatly ended when Lionel Barrymore contrives to ground Gable. A convenient, but highly improbable finish.

Nothing could be less important than wardrobe in a picture concentrating on plane thrills, and Miss Loy cleaves to the utmost simplicity of straight little tailored frocks. For the most part she goes hatless, with an occasional tiny beret or calot.

**Matthews Goes Cockney**

Gaumont-British gives out with a Jessie Matthews musical, called 'Sailing Along' because the star lives on a barge.

Clothed suitably for barge chores, and gowned later, after being 'discovered' by Roland Young and his 'sister' Athene Seyler, Miss Matthews suffers sartorially. The conspiracy to keep her public from finding out that she has one of the better silhouettes still persists. It isn't supposed to be improper for dancers to have legs, but Miss Matthews' propelling members are carefully hidden under layers and layers of opaque material. Ruffled jackets, fur bands and floating scarves do a good job of disguising the rest of her outlines. Skirts when short contrive to be the most unbecoming length.

As a barge girl suddenly moving in a higher social strata the star is required to be excessively cute and Cockney. To this end, she uses her thumbs exclusively for gestures, and these digits fly through the air with such rapidity it's hard to believe there are only two of them.

Blonde Jack Whiting is an attractive dancing partner, and Barry Mackay is the boating hero to whom she returns after a triumphant (naturally) stage appearance.

**'Penrod' In Spades, But Why?**

Not much is left of the original 'Penrod' in 'Penrod and His Twin Brother' except the familiar names, but if author Booth Tarkington doesn't object, no one else should. The Mauch twins are getting taller by the minute, and Warners probably thought it wise to rush them into a picture, even if it meant dittoing a well known solo character. Title is misleading anyway, as the boys aren't even related in the picture.

With the grownup division taken care of by Spring Byington and Frank Craven as the Scofields, and Claudia Coleman and Charles Halton as parents of the pest 'Rodney,' coupled with a lot of action, the film manages more entertainment than many more pretentious pieces.

As usual, the kids outthink their parents and the whole police force, even when the latter have an elementary clue in their hands which is obligingly supplied by a good portion of the Globe audience when the coppers muff.

Real star of the opus is an unprogrammed pooch. A small black and white pup who chews meditatively on various articles of wearing apparel when he isn't dashing about rescuing Penrod's gang from peril.

**Dorothy Lamour's Double-Talk**

Lissome Dorothy Lamour again goes sarong in 'Her Jungle Love' as might be indicated from the title. If Miss Lamour is tired of tripping painfully through jungles in her bare feet and a yard of intricately designed drapery, there is a simple way of ending her martyrdom. She might have her flowing locks fashionably lopped off, which would be a shame—but a lesser evil.

Logic is nonchalantly snubbed on this particular island, inhabited solely by Miss Lamour, some anti-social crocodiles, a chimpanzee and a lion cub. Where the cub came from when it has no other relatives on the island is a minor matter. There are major puzzlers. Ray Milland (a lost aviator) speaks English and Miss Lamour talks double-talk (presumably Malayan) and they understand each other perfectly.

Taking off in bright day, Miss Lamour travels far enough on a seagoi yacht for darkness to set in, but apparently has no trouble swimming bac to the island when she decides to 'walk home' in a moment of pi

The 'island queen' is hypnotized into taking part in a tribal rite, in spite of the island's isolation, an ornate Follies gown of white satin with huge white osprey headdress is produced for her. The 'rite' consists of serving Archie Twitchell (another lost aviator) to the aforementioned crocodiles. This is one of the few departures from formula. No on dashes to his rescue and it is presumed that the voracious crocs have ha their way with the reluctant Mr. T.

Mr. Milland and Lynne Overman fare better, having the good fortune to escape murderous tribesmen from another island, a volcano, the hungry crocs, and a cave which conveniently falls in on everyone except the three principals. Through it all Miss Lamour's long locks are perfectly parted and neatly waved.

Blonde Dorothy Howe, as Milland's ex-fiance, shows up a couple of times. Once in a shell pink chiffon negligee, worrying about what has become of Milland and searching for him on papa's yacht, in a trim white sports suit with abbreviated skirt.

**Dorsey and His Vipers Take Over**

The Paramount management seemingly has decided to let the inmates take over the asylum at early opening day performances. Wednesday morning (13) a femme jitter jackanapes in the audience was inspired by Tommy Dorsey's band to put on a one-gal aisle exhibition of lunacy. Frenzied capers with flips and bumps interpolated drew tremendous applause from a delighted audience—and no interference from weary ushers.

No band is now complete without one Scottish ballad being tossed around. Edythe Wright, wearing flowing white sequin sprinkled chiffon, takes care of the Sc-orch number, singing 'Through the Rye.'

Grace and Ray McDonald could get along without using a song gazinta for their dance. Both seem relieved when the strain is over and they can get down to hoofin . Miss McDonald taps in white street dress with full pleated skirt and narrow red ribbon around the waist.

Ben Blue is the unquestionable smash of the bill. He's assisted in a dime-a-dance number by Miss Dayton, who wears flame-chiffon evening gown. For a minuet she wears a handsome period gown of silver edged white tulle ruffles, fitted satin jacket and flowered pancake hat. Blue minuets in satin coat and white wig, his final exit loudly protested by definitely Blue-minded audience.

## TAYLOR'S 'TAKE'

Hollywood, April 19.

Robert Taylor is set for the lead opposite Maureen O'Sullivan in Metro's 'Give and Take.'

Support will include Frank Morgan, Guy Kibbee and Nat Pendleton, with Richard Thorpe directing.

## Buck Jones' B. R.

Hollywood, April 19.

Financial backing for the remaining three Buck Jones Coronet pictures for Columbia release has been pledged by Phil Goldstone.

Each is budgeted at $42,5

# HISTORICAL PIX TO UP B.O.

## Dietz Challenges N. Y. Times Critic

Under the caption, 'Mr. Dietz Presents the Case for Hollywood,' in the New York Times on Sunday (17), . (Howard) Deitz went to town on behalf of the picture business, with a particular poke at the Times' film critic, Frank Nugent. Metro-Goldwyn-Mayer's director of publicity and advertising did what many a filmite has often expressed, of late, in refuting some of the Times' lm crick's pet ideas.

Too often, however, because of a misguided sense of caution, and under the old show biz adage that the newspaper has the opportunity for the final word, none has come out openly in debate with some of the Times' odd conceptions of film standards.

Dietz's piece reads like a letter to Nugent, but sans the greetings and salutation. Step by step Dietz dwells upon the fact that Hollywood's superiority to French and/or other foreign films has been world-endorsed, despite Nugent's own raves about some of the recent foreign entries. But, more pertinently, the Metroite emphasizes the differences between the economic standards attendant to Hollywood production, and what the budgets are abroad.

Nugent's point that it would be a sorry note for the literary world if books were published according to 'Hollywood standards' is given the brushoff by the argument that costs of book publishing have diminished, whereas film production budgets are constantly rising, and the literary adventure is insignificant compared to the gamble with almost any sort of a film production.

Besides these and other pet thoughts entertained by the New York Times' film critic, the Dietz-Nugent debate is really the crystallization of a long moot peeve by showmen against most of the N. Y. crix. Granting their importance, because the Broadway and Hollywood showmen do lay much stock in the New York critical opinion—film and legit—there has been much exaggerated ado by the film scriveners over the foreign pix.

On the other hand, trade observers aver that the film publicists built themselves a Frankenstein through over-plugging the film critics, instead of using the dailies as the authority. After over-ballyhooing the three and four star system, it was later agreed not to use that for exploitation, on the theory it gave the public a false evaluation of the films. Same thought, as regards one radio commentator's 'bells,' hasn't been as strictly observed.

Showmen can't understand why a film that would be inferior under Hollywood standards takes on extraordinary values because of the fact it has a Joinville, Moscow, Neubabelsberg, Tempelhof, Elstree or Denham imprint. And the least to benefit by this favoritism towards the foreign-makes are the British entries.

From a practical b.o. conception, the films that play the arties and the sure-seaters, or the hideaway dumps in Yorkville or in the Russe and magyar sectors, would unquestionably enjoy wider circulation if they packed all the merit ascribed to them. Actually, their b.o. is negligible.

It's probably answered by Dietz's observation, 'The most self-critical of Hollywood producers would attribute your enthusiasm to the fact that foreign atmosphere and foreign faces may be a relief from the accustomed appearance of established personalities to the eyes of a man who (according to your own statement) has seen 164 pictures i three months. They know that in the rest of the world the Hollywood product is also eulogized in part for a similar foreignness. . . .'

## $93,225 RKO Suit Vs. Danielle Darrieux; Von Stroheim's Action

Paris, April 11.

oth RKO and Eric von Stroheim have brought suits here. RKO is asking $31,075 from Danielle Darrieux for alleged breach of option contract which the company had on her when she signed with Universal. According to RKO's complaint, the actress was to work for 30 weeks, for which she was to receive $93,225 and a bonus of $20,000 if she renewed her contract.

Option is filled with complicated clauses, however, which will make the going stiff for RKO, beside the fact that the case is filed in a French court. At the last hearing RKO posted $300 by order of the court to cover expenses in the event it loses. This, however, is demanded of all foreign corporations suing in French courts.

ric von Strohei is asking $24,600 from the Realizations d'Art Cinematographique for expenses incurred in establishing a residence in Paris for the purpose of directing a film which has never been made. Von Stroheim has acted in R.A.C. pictures, but he objects to the fact that the studio has not turned a directing job over to him. His itemized list of expenses covers everything from dishcloths to taxi fares.

## Fast Coming There, Erin

Hollywood, April 19.

Erin Drew, currently playing opposite Bing Crosby and Fred MacMurray in Paramount's 'Sing You Sinners,' has been set for the femme lead opposite Ronald Colman in the same studio's Frank Lloyd production of 'If I Were King.'

She comparative newcomer to films.

## DOGIES AND DITTIES IN AUTRY'S LEGAL CLASH

Hollywood, April 19.

Gene Autry is putting on a two-gun battle with Republic Pictures as an actor and songwriter. Deposit will be taken Thursday (21) fr m Herbert J. Yates, president of Republic's board, M. J. Siegel, general director, and E. H. Goldstein, studio manager, in an effort to dissolve an injunction preventing the crooning cowboy from appearing anywhere but in Republic enterprises.

Meantime, Autry has demanded a settlement of $25,000 for the use of his prairie ditty, 'Dust," musical highlight of Republic's picture, 'Under Western Skies.'

## Crosby Story Hunt

Hollywood, April 19.

Herbert Polesie, Paramount associate producer, John Burke, writer, and Larry Crosby, manager for his brother, Bing Crosby, are Manhattan-bound. Polesie and Burke will seek material for Bing's one outside picture yearly permitted by his Paramount contract.

Larry Crosby will negotiate a new releasing tie-up for the music used by the crooner in his films.

While in New York Larry Crosby will discuss the proposed consolidation of Select Music, Inc., in which Bing holds stock, with Santly Bros.-Joy, Inc. Crosby has been approached by such firms as Irving Berlin, Inc., Famous Music and Feist for the rights to his score in the event he elects to dispose of his Select holdings.

### RATHBONE'S ERMINE

Hollywood, April 19.

ramount has signed Basil Rathbone for the role of Louis XI in 'If I Were King.'

Picture will star

## STUDIOS HOP ON EPOCHAL CYCLE

### Scholastic Tinge to Around 35 Pix—Expected to Attract a New Type of Audience

lywood, April 19.

Majority of next season's film opuses will carry a heavy educational coating. Idea, which has won the unanimous support of the major studio chieftains, has been motivated by two influences. One is the heavy cargo of gold brought home to 20th-Fox by 'Lloyds of London'; to Paramount by 'The Plainsman' and 'Wells Fargo,' to Warners through 'Emile Zola' and its 1937-38 series of patriotic shorts, etc. Other is the persistent nudging of Will Hays, who has long been investigating the possibilities of swelling the customer ranks by adding a classroom tinge to celluloid fare without detracting from the entertainment value.

Hays has always been of the belief that the harnessing of the world-wide and powerful sway of American-made celluloid product to useful purposes would more firmly entrench the picture industry with present patrons, as well as win to its banner the support of extra millions yet to be enlisted in the army of fans.

In the new trend of things, Hollywood sees broad and definite progress toward realization of this dream, culmination of which would mean that each studio annually could turn out a fixed number of features which may be made a part of the set curriculum of grade and high schools, as well as the higher institutions of learning. After investigating the field ever since he moved in as president of the Motion Picture Producers & Distributors of America, Inc., more than a decade and a half ago, Hays has in more recent years been consulting leading educators on his theories. Today they are lending enthusiastic cooperation.

**Educate 'Em, Too**

There are still millions of Americans who have not been made

(Continued on page 19)

## LA CAVA AT RKO ON PROD.-DIRECTOR DEAL

Hollywood, April 19.

Pandro Berman, production chief of RKO, has signed Gregory LaCava to a producer-director deal, with 'Right Angles' as his first assignment.

Production is scheduled for a September start.

## THE FEMME SLANT

### Lyle Brooks Will Inject It i Par's 'If I Were Ki '

Hollywood, April 19.

Lyle Brooks, newspaper and magazine writer, has been made unit manager on the Frank Lloyd production, 'If I Were King.' Miss Brooks is the first femme to hold such a post on the Paramount lot.

Appointment the result of Lloyd's desire to inject a woman's point of view into the preparation and actual filming of the story.

## Polishing Annabella

Hollywood, April 19.

Annabella is undergoing i tensive coaching for 'Suez,' set to go before the cameras at 20th-Fox May 1.

Stanley Log borrowed from Warners as assistant to irector Allan Dwan, is helping French actr overcome her accent.

## Pic Sound Track Redubbing Ruled Out by New AFM-Studio Contract; Not Pushing Theatre Demands

Hollywood, April 19.

Redubbing of musical sound tracks in major film productions ill be abolished under terms of temporary agreement to be drafted this week at conferences between Pat Casey, producer labor contact, and J. Gillette, international organizer for the American Federation of usicians. Gillette is acting as personal representative of Joseph N. president of the AFM, now i York.

Pact provi ing that musical soun tracks be used only for picture in which orchestra was hired to play will be formally ratified at the producer-labor conferences to be held in east this summer. Terms, however, will become effective as soon as they have been okayed by the musicians and producers.

Gillette estimates that agreement will increase employment of musicians in picture work from 25 to 33%. Since approximately 600 are employed when studios are operating at peak, about 200 now on idle list will be iven work. This number will be increased materially if new agreement is extended to the indie producers and the trend to big musicals continues. If pact calls for employment of orchestra for B pictures, that clause alone will tilt earnings of musicians thousands of dollars annually.

Parley between Casey and Gillette got under way after Weber served ultimatum that musicians would not be available for picture production unless redubbing was stopped and musical libraries abolished. Weber asked for a conference with heads of the major studios then in New York. After brief talk these executives suggested Weber lay his demands before Casey and a tentative agreement be drawn up.

Weber insisted that some action be taken before the convention of musicians scheduled for Tampa, June 7. Move by musicians is a continuation of the drive to provide jobs for thousands of musicians who were thrown out of work when sound came to pictures. Demand that orchestras be hired by theatres probably will not be pushed by Gillette if sound libraries are abolished and redubbing ended.

**Maj. Kieffer, Jr., SAG Prexy**

New officers of Junior Screen Actors Guild were inducted into office last night, as SAG opened negotiations with the producers on amendments to the present producer-SAG basic minimum wage agreement. Major Philip J. Kieffer, West Point graduate and former army officer, succeeds Larry Steers as president. Harry Mayo is first vice-president, having defeated Richar Bitgood, Frank Mayo and Tom O'Grady. Pete Du Rey received majority for second vice-president. Hi opponents were Dorcas McKim, Louis J. Becker and George H. McLain.

Jack Grant finished first in race for secretary. He defeated Warren Dearborn, Lee Powell and Art Taylor. Dearborn, however, received the majority for treasurer, having been nominated for both offices. Other candidates for treasurer were J. Chester Carlisle, ill and Max Pollack.

Kieffer ticket made a clean sweep, only 11 me bers of present Junior Council being reelected. Eleven council candidates who received largest vote and will serve for thre years are Sam Appel, Warren rborn, Jordon Do ns, Mel S. rester, Duke Green, Major Ki Jimmy Lono, Richard Loo, Mayo, Capt. Fred G. Somers.

Eleven receiving next highest vote and tagged for two year terms were Harry Aaras, Louis J. Becker, Edward F. Boyd, Peter Du Re e Farrell, Jack Grant, Duke Lee, Dorcas McKim, Bill O'Brien, Max Pollack, Larry Steers.

Candidates elected to th for one-year terms are E

(Continued on page

### Algeresque

Hollywood, April 19.

Two success shorts from the 20th-Fox tudio Club little theatre.

Don Estey, recently fired as a commissary busboy, acted i one play and was recommended for character parts by Ivan Kahn, talent scout.

Bob Wellington, studio janitor, wrote one and directed two amateur plays. Julian Johnson is considering him for writer's job.

## Use of Drug Co. Name Entirely Coincidental, Says Col. in Libel Suit

, April 19.

A $100,000 li inst Columbia Pictures was argued here last Wednesday and Thursday by Sun Ray Drug Co., of this city, which claims it was injured by implications in the film 'Girls at Play' that it is dishonest and unreli

ilm portrays activities of a likker racketeer who poses as the proprietor of the New Deal rug Co. A competitor, called the Sun Ray Drug Co., buys it out for $90,000 without 'checking the inventory and adopting usual procedure of a legitimate concern.'

Plai , which has been in biz for nine years and operates 37 stores in this territory, claims use of its name in the pic is worth $100,000.

irst move at the trial last Wednesday was for U. . District Judge William H. Kirkpatrick and the jury of eight men and four women to adjourn to Columbia's projection room here to view the film. Invitation to see it was issued by William A. Gray, counsel for Sun Ray. Morris M. Wexler, attorney for the producer, immediately tendered the use of the projection room for the exhibition so the jury could see for itself whether the plaintiff's trade reputation was injured.

Wexler argued that use of the name Sun Ray was entirely coincidental and that no offense was meant.

## 'WINNIE' SLATED FOR DISNEY FULL-LENGTHER

Hollywood, April 19.

innie the Pooh' is headed for Hollywood. Walt Disney has added the 'Christopher obin' series of kid stories, by A. A. Milne, British writer, to his film material.

Following the smash biz of 'Snow White' the pen-and-ink studio plans one full-length cartoon each year.

## Greene Piped Out

Hollywood, April 19.

Tony Martin has replaced Richard Greene, English importee, opposite Sonja Henie in the 20th-Fox production, 'They et At College,' which Roy Del Ruth is directing.

Darryl Zanuck decided after viewing the first day's takes that the Britisher's singing voice was insufficient to carry the role.

### ' LABOR

Hollywood, April 19.

Herman J. Mankiewicz has checked in at Columbia to write the screen play of 'This Thing Called Love.'

He recently wound up an extended term at etro.

# Holy Week Fare to L. A.'s Liking, 'Polo' $31,000 After Record Opener; Dunne, 2 Spots, 22G, 'Jungle' 15½G

Los Angeles, April 19.

That old bugaboo, Holy Week, didn't mean a thing for bulk of the local first runs, particularly those with outstanding pictures that ran through Easter. As a matter of fact biz in many of the spots took a leap that had managers all smiles for the first time in weeks.

'Rebecca of Sunnybrook Farm' lifted the State and Chinese out of the doldrums after two brutal weeks but biz eased off over weekend due to heat and will probably not top a combined $23,500 on the week.

**Estimates for This Week**

**Carthay Circle** (Fox) (1,518; 55-83-1.10-1.65)—'Snow White' (RKO) (17th week). Folds (24) after 18 weeks of very profitable biz. Last week, with kids out of school, trade leaped and should wind up 17th stanza with nifty $10,000. Drew okay $5.700 on 18th week.

**Chinese** (Grauman-Fox) (2,024; 30-40-55-75)—'Rebecca of unnybrook Farm' (20th) and 'Moto's Gamble' (20th), dual. Quite a shock after past two stanzas which were brutal. Shirley Temple responsible for only $9,500 draw on eight-daya week. Last week, 'Battle of Broadway' (20th) and 'International Settlement' (20th) complete bust with $4,000 on six-day run.

**Downtown** (WB) (1,800; 30-40-55-65)—'Marco Polo' (UA) and 'Daredevil Drivers' (FN), dual. Coming in on Holy Thursday, hit a smash $2,300 opening day, and with the Easter pull should hit close to $15,000, very big. Last week, 'Over the Wall' (WB) and 'Couldn't Say No' (WB), better than anticipated for $7,700.

**Four Star** (Fox) (900; 40-55)—'Lady X' (UA). Resumed its regular run policy (16) after being dark several weeks following somewhat lengthy road show engagement with 'Old Chicago.' Foreign-made pic started slowly and will wind up with okay $3,300.

**Hollywood** (WB) (2,756; 30-40-55-65)—'Polo' (UA) and 'Daredevil Drivers' (FN), dual. Heading for big $18,000. Last week, 'Over Wall (WB) and 'Couldn't Say No' (WB), pretty weak $5,900.

**Orpheum** (Bdwy) (2,280; 25-30-35-40)—'Drummond's Peril' (Par) and 'Got Everything' (RKO), dual, and Bowes unit. Bowes shows usually draw hefty biz, but not this week, so will have to be satisfied with mild $7,500. Last week, 'Everybody's Doing It' (RKO) and 'Romance in Dark' (Par), bad $6,000.

**Pantages** (Pan) (2,812; 30-40-55)—'Joy of Living' (RKO) and 'Black Doll' (U), dual. Will garner okay $12,000 on initial week and holds over. Last week, 'Goodbye Broadway' (U) and 'Hawaii Calls' (RKO), fair $5,000, as indicated.

**Paramount** (Par) (3,595; 30-40-55)—'Jungle Love' (Par) and stage show. Biz surprisingly strong during five days of Holy Week and with usual Sunday trade and excellent Monday, aided by preview final night, will get $15,500, satisfactory, on nine days. House drops after run of 'Jungle Love,' going dual because of controversy with stage hands on overtime pay. Last week, 'Bluebeard' (Par) (3d week) okay $10,800.

**RKO** (2,872; 30-40-55)—'Joy of Living' (RKO) and 'Black Doll' (UA), dual. Irene Dunne not quite the draw here as at the Pantages but will pull very profitable $10,000. Last week, 'Goodbye Broadway' (U) and 'Hawaii Calls' (RKO), very good $7,000.

**State** (Loew-Fox) (2,414; 30-40-55-75)—'Rebecca' (20th) and 'Moto's Gamble' (20th), dual. Temple film put this downtown acer back in the running and despite five days of Holy Week opus will hit better than $14,000 on eight-day run. Last week (8 days), 'Broadway' (20th), and 'Settlement' (20th), lowest in house's history terrible $4,700.

**United Artists** (Fox-UA) (2,100; 30-40-55)—'Viva Villa' (MG) and 'Waikiki Wedding' (Par), dual. Switched to a week of revivals for four days of Holy Week, and through (19) for miserable $800. Last week, 'Human Hearts' (MG), and 'First 100 Years' (MG), not very profitable at $2,000.

**Wilshire** (Fox) (2,296; 30-40-55-65)—'Battle of Broadway' (20th), and 'Settlement' (20th), dual. Continued first run of this pair on moveover from State-Chinese, bringing only $1,800, lowest on record. Last week, 'Hearts' (MG) and '100 Years' (MG), okay, $4,400.

## LEVENE'S PIC ENCORE

Hollywood, April 19.

Sam Levene, Broadway legit thesp, brought here by Metro for a featured role in 'Yellow Jack,' has been held over for a spot in 'Shopworn Angel.'

Picture is i

## Deanna Durbin $17,000, Shirley $15,000, B'klyn

Brooklyn, April 19.

Downtown deluxer had setback over weekend with populace going on boardwalk for fashion display.

**Estimates for This Week**

**Albee** (3,274; 25-40)—'Rebecca of Sunnybrook' (20th) and 'Moto's Gamble' (20th) (2d week). Satisfactory $15,000. Last week, same pair got nice $16,500.

**Fox** (4,000; 25-40)—'Fools for Scandal' (WB) and 'King of Newsboys' (Rep). Mild $9,500 expected. Last week, 'Start Cheering' (Col) and 'Tip Off Girls' (Par), unexciting $11,500.

**Met** (3,618; 25-50)—'Mad About Music' (U) and 'Hardy's Children' (M-G). Pulling nice $17,000. Last week, 'Merrily We Live' (M-G) and 'Crime of Dr. Hallet' (U), oke $15,000.

**Paramount** (4,124; 25-50)—'Bluebeard' (Par) and 'Prison Nurse' (Rep). Expects excellent $18,000 and holdover. Last week, 'Jezebel' (WB) and 'Couldn't Say No' (WB) (2d-final week), good $15,000.

**Strand** (2,870; 25-40)—'Making the Headlines' (Col) and 'Wife of Gen. Ling' (GB) plus weekend vaude headed by Jackie Cooper. Vicinity of $8,000, not bad. Last week, 'G-Men Step In' (Col) and 'Shadows of Orient' (Mono) and vaude, $8,000, oke.

## KIDS HELP D. C., 'SAWYER' $23,000

ashington, April 19.

End of Lent and heavy influx of holiday visitors to town has brought happy days back to pic houses, all grosses looking healthier. Kids downtown for White House egg-rolling yesterday (Monday) had S.R.O. sign busy at two houses playing for moppets—Capitol with 'Tom Sawyer' and Columbia with 'Rebecca.'

**Estimates for This Week**

**Capitol** (Loew) (3,424; 25-35-40-66)—'Tom Sawyer' (UA) and vaude. Should top last week with $23,000, good enough. Last week, 'Hardy's Children' (M-G) and Waring band beat Holy Week bugaboo with $22,500, fine, considering.

**Columbia** (Loew) (1,583; 25-40)—'Sunnybrook Farm' (20th) (2d run). Good enough $4,000. Last week 'Goldwyn Follies' (UA) (2d run), got by with $3,800.

**Eacle** (WB) (2,244; 25-35-40-88)—'Fools for Scandal' (WB) and vaude. Nice $18,000. Last week 'Over the Wall' (WB) and Calloway orch stopped at $13,000, ice enough for Holy Week.

**Keith's** (RKO) (1,830; 35-55)—'Joy of Living' (RKO). Better than expected, $12,000, holdover. Last week 'Bringing Up Baby' (RKO) (2d week) held to oke $7,500.

**Metropolitan** (WB) (1,853; 25-40)—'Jezebel' (WB) (2d run). Nice $7,000. Last week 'Bluebeard' (Par) (2d run), good $7,000.

**Palace** (Loew) (2,383; 35-55)—'Old Chicago' (20th). Should hold to $20,000 and then take second week. Last week 'Golden West' (M-G) (2d week) slipped, but not bad at $8,500.

## 'OLD CHI' AFIRE $12,000, BETTE $8,000, SEATTLE

Seattle, April 19.

With Holy Week past and the salmon fishing labor dispute near solution, showmen will be complaining about summer weather, which will be luring to the beaches and resorts before long.

**Estimates for This Week**

**Blue Mouse** (Hamrick-Evergreen) (850; 32-37-42)—'Rebecca' (20th) and 'Trip to Paris' (20th) dual (2d run). Due to get around $3,500, good. Last week 'Bluebeard' (Par) and 'Dangerous to Have' (Par) dual, eight days, $3,900, good.

**Coliseum** (Hamrick-Evergreen) (1,950; 21-32)—'Happy Landing' (20th) and 'Chan at Monte Carlo' (20th) dual. Looking for okay $3,000. Last week 'Mannequin' (M-G) and 'Love Is Headache' (M-G) dual. Fairish $3,300.

**Colonial** (Sterling) (850; 10-21)—'Octopus' (WB) and 'Trigger Trio' (Rep) dual, split with 'The Rat' (RKO) and 'Sweethearts of Navy' (GN) dual. Heading for mild $2,000. Last week 'Hopalong Rides Again' (Par) and 'Born to Be Wild' (Rep) dual, fair $2,200.

**Fifth Avenue** (Hamrick-Evergreen) (2,366; 32-37-42)—'Old Chicago' (20th) solo. Roaring $12,000 and holds. Last week 'Rebecca' (20th) and 'Trip to Paris' (20th) dual, $6,700, okay.

**Liberty** (J-vH) (1,800; 21-32-42)—'Divorce of Lady X' (UA) solo (2d week). Indicated good $3,600. Last week $4,600, okay.

**Music Box** (Hamrick-Evergreen) (850; 32-37-42)—'Snow White' (RKO) solo (6th week). Slowing a bit, anticipated good $3,500. Last week, same film, $3,500, good.

**Orpheum** (Hamrick-Evergreen) (2,600; 32-37-42)—'Jezebel' (WB) and 'First 100 Years' (M-G) dual. Expected big $8,000. Last week 'Merrily We Live' (M-G) and 'Black Doll' (U) dual (2d week) good $4,100.

**Palomar** (Sterling) (1,350; 10-21-37)—'Blondes at Work' (WB) and vaude anticipated good $4,000. Last week 'Old Kentucky Home' (Mono) and 'Patient in Room 18' (FN) dual, with vaude, big at $4,300.

**Paramount** (Hamrick-Evergreen) (3,049; 32-37-42)—'Tom Sawyer' (UA) and 'Moto's Gamble' (20th) dual (2d week). Paced at great $8,500. Last week, same films, sock $10,500.

**Roosevelt** (Sterling) (850; 21-32)—'Buccaneer' (Par) and 'Paid to Dance' (Col) dual. Maybe $2,300, okay. Last week 'Swing Your Lady' (WB) and 'I'll Take Romance' (Col) dual, $2,400, fair.

## First Runs on Broadway

**Week of April 21**
*(Subject to Change)*

**Capitol**—'Test Pilot' (MG) (2d wk).

**Criterion**—'
(GB) 2d wk).

**Globe**—'Rawhide' (20th) (23).
*(Reviewed in* VARIETY, *April 6)*

**Music Hall**—'Adventures of Marco Polo' (UA) (3d wk).

**Paramount**—'Her Jungle Love' (Par) (2d wk).

**Rialto**—'Condemned Woman' (RKO).
*(Reviewed in* VARIETY, *March 9)*

**Rivoli**—'Battle of Broadway' (20th) (23).

**Roxy**—'In Old Chicago' (20th) (3d wk).

**Strand**—'Acci
pen' (WB) (23).

**Week of April 28**

**Capitol**—'First 100 Years' (MG).
*(Reviewed in* VARIETY, *March 16)*

**Criterion**—'Arson Gang Busters' (Rep).

**Music Hall**—'There's Always a Woman' (Col).

**Paramount**—'College Swi
(Par) (27).

**Rialto**—'Law of the Underworld' (RKO).

**Rivoli**—'Battle of Broadway' (20th) (2d wk).

**Strand**—'Accidents
pen' (WB) (2d wk).

## 'Rebecca' $9,000, Omaha; 'Marco Polo' Oke $8,500

Omaha, April 19.

Easter week brings bevy of good bills to theatre row. After winter weather of last week, spring appears to be here to stay and helping attendance. Rain couple of times during past few days has added brightening effect. Managers expecting grosses will look up materially from now on. In contrast to past couple of years Holy Week has taken some toll though not anything drastic.

**stimates for This eek**

**Brandeis** (Singer-RKO) (1,250; 10-25-35-40)—'Joy of Living' (RKO) and 'Lone Wolf in Paris' (Col), doubled. Weak numbers and biz light; $4,000. Last week, 'Boy of Streets' (Mono) and She's Got Everything' (RKO), double, satisfactory $4,300.

**Dundee** (Goldberg) (610; 10-25)—'Vogues' (UA) and 'Stand In' (UA), first three days of week; 'Happy Landing' (20th-Fox) and 'Gold Is Where You Find It' (WB) second half. Strong bill last four days will boost total to $750, good. Last week, 'Only Young Onee' (M-G) and 'I'll Take Romance' (Col), first half; 'Buccaneer' (Par) and 'Three Smart Girls' (U), second half; Durbin reissue showed to good draw; $700 in face of wintry weather.

**Military-Avenue** (Goldberg) (950; 810; 10-25)—'Vogues' (UA) and 'Stand In' (WB). Stride good here; $700 and $850. Last week, 'Only Young Once' (M-G) and 'Thrill of a Lifetime' (Par), double; split week with 'Buccaneer' (Par) and 'She Married an Artist' (Col). $650.

**Omaha** (Blank) (2,100; 10-25-40)—'Marco Polo' (UA) and 'Walking Down Broadway' (20th-Fox), twin bill. $8,500 very good. Last week, 'Old Chicago' (20th-Fox), and 'Bulldog Drummond's Peril' (Par), dual. Satisfactory at $6,700.

**Orpheum** ( lank) (2,976; 10-25-40)—'Sunnybrook Farm' (20th-Fox) and 'Couldn't Say No' (WB), twinned. Likely to top $9,000, very good money. Last week, 'Sally, Irene and Mary' (20th-Fox), and 'Human Hearts' (M-G) on double bill took it from couple of angles, weather and Holy Week, $7,250.

# Mpls. Still Sobbin' the Indigos; 'Like That'-Duchin 12G, 'Golden' 9G

## 'Rebecca' Healthy $3,100; 'Bluebeard' 3G, Lincoln

Lincoln, April 19.

Best bet of the week is 'Rebecca.' 'Bluebeard' was a dud on the opener, but got going feebly later.

**Estimates for This eek**

**Kiva** (Noble) (440; 10-15)—'Sailing Along' (GB). illed as world premiere, won't startle, although $1,000 okay. Last week, 'Prison Nurse' (Rep), n.s.g., $850.

**Liberty** (Cooper) (1,200; 10-15)—'Border olves' (U) and '45 Fathers' (20th) split with 'Sergeant Murphy' (WB) and 'Scarface' (UA). Oke, $900. Last week, 'Rawhide' (20th) and 'Riding on Air' (RKO) split with 'Rip Roaring Buckaroo' (Vic) and 'Top of the Town' (U), did oke $1,100.

**Lincoln** (Cooper) (1,600; 10-20-25)—'Rebecca' (20th) and 'Love on a Budget' (20th). Away for a fancy $3,100, considering period. Last week, 'Nothing Sacred' (UA) and 'Hawaii Calls' (RKO) topped all hopes with an ultra $3,700.

**Orpheum** (Cooper) (1,350; 10-15-20-25)—'Everybody Sing' (MG) and 'She's Got Everything' (RKO). Good setup, probably get $1,500, all right. Last week, '52nd Street' (UA) and 'Living on Love' (RKO) average, $1,000.

**Stuart** (Cooper) (1,900; 10-25-40)—'Bluebeard' (Par). Will do well to get $3,000, slow going. Last week, 'Sally, Irene and Mary' (20th) also slumper, $2,600.

## 'BARONESS' 26G, 'CHI' 21G, HUB

Boston, April 19.

With the ending of Holy Week and the usual pickup of patronage after the religious holidays, business outlook this week is slightly brighter than ordinarily because of a local legal holiday (19).

**Estimates for This Week**

**Boston** (RKO) (3,212; 25-35-40-55)—'Midnight Intruder' (U) and French Folies unit on stage. Looks good for $16,000. Last week, 'Condemned Women' (RKO) and Buck and Bubbles band on stage, pale $10,000.

**Fenway** (M&P) (1,382; 25-35-40-55)—'Jungle Love' (Par) and 'Island in the Sky' (20th), dual (both 2d run). N.s.h. $4,500 on the way. Last week, 'Bluebeard' (Par) (2d run) and 'Accidents Will Happen' (WB) (1st run), double, fair $5,800.

**Keith Memorial** (RKO) (2,907; 35-50-65)—'Baroness and Butler' (20th) and Guy Lombardo on stage. Around $26,000, very good. Last week, holdover of 'Mad About Music' (U) and stage show starring Jane Piekens, nice $16,800.

**Metropolitan** (M&P) (4,287; 25-35-40-55)—'Old Chicago' (20th) and 'Tip-Off Girls' (Par), dual. First pop price run of 'Chi.' about $21,000 for first week; will run 12 days, opening Saturday (18). Last week (nine days), 'Jungle Love' (Par) and 'Island in Sky' (20th), double, very sad $14,000.

**Orpheum** (Loew) (2,900; 25-35-40-55)—'Golden West' (M-G) and 'No Time to Marry' (Col), dual. Very rugged, about $17,000. Last week 'Wide Open Faces' (Col) and 'Everybody Sing' (M-G), double, fair $11,400.

**Paramount** (M&P) (1,797; 25-35-40-55)—'Jungle Love' (Par) and 'Island in Sky' (20th), double (both 2d run). Slight $7,500. Last week 'Bluebeard' (Par) (2d run) and 'Accidents Will Happen' (WB) (1st run), dual, good $8,500.

**Scollay** (M&P) (2,538; 25-35-40-50) 'Bluebeard' (Par) (3d run) and 'Moto's Gamble' (20th (2d run), dual. Okay $7,000 indicated. Last week 'Goldwyn Follies' (UA) and 'Arsene Lupin Returns' (M-G) (both 2d run), dual, $8,700.

**State** (Loew) (3,600; 25-35-40-55)—'Golden West' (M-G) and 'No Time to Marry' (Col), dual. Very healthy, around $13,500. Last week 'Wide Open Faces' (Col) and 'Everybody Si ' (M-G), dual, sloughed to $9,500.

## Lesser Moves to RKO Lot for Breen Picture

Hollywood, ril 19.

Sol Lesser, who releases his obby Breen pictures through RK , has closed a deal with that organization whereby he will film the moppet's next starrer, ' asy Street,' on its lot. Lesser has been using General Service studios for his productions.

Smith Ballew, Less r's western lead, has returned from an extended p.a. tour, to prepare for his next sage-brusher, 'Lord of the ammints,' slated to roll April 25 with Ray Taylor directing.

Minneapolis, April 19.

Lent's departure and a wealth of strong picts haven't ended bad biz. Red ink is still getting plenty of use. With the State abandoning dou l features and going in for top classification pictures, no less than fiv loop houses are offering de luxe picts and four of them are scaled at 55c. after 5 p.m.

**Estimates for This**

**Aster** (Par-Singer) (900; 15-25)—'Partners of Plain' (Par) and 'Jury's Secret' (U) dual (1st runs), split with 'Marriage Business' (RKO) and 'Forbidden Valley' (U) and with 'Daredevil Drivers' (WB) and 'Night Spot' (RKO). Satisfactory $1,000 indicated. Last week, 'Charlie Chan in Monte Carlo' (20th) and 'Checkers' (20th), $1,200, good.

**Century** (Par-Singer) (1,600; 25-35-40) 'Sally, Irene and Mary' (20th). Light $3,000 indicated. Last week, 'First 100 Years' (M-G), $3,200, mild.

**Minnesota** (Par-Singer) (4,200; 25-35-55)—'Bringing Up Baby' (RKO). Headed for mild $6,000. Last week, 'Sunnybrook Farm' (20th), $7,000, mild.

**Orpheum** (Par-Singer) (2,890; 35-40-55)—'Women Are Like That' (WB) and Eddy Duchin orch on stage. Pretty fairish $12,000, but nearly $16,000 less than Duchin drew at the Minnesota a year ago when prosperity held sway. Last week, 'Radio City Revels' (RKO), $4,000, light.

**State** (Par-Singer) (2,300; 25-35-55)—'Girl of Golden West' (M-G). Headed for fair $9,000. Last week, 'Bluebeard' (Par) (2d week), $3,500, light.

**Time** (Berger) (290; 15-25)—'Manhattan Merry-Go-Round' (Rep). Opening Thursday (21). 'Boy of Streets' (Mono) (2d run), winds up tomorrow (Wednesday), $1,500, good for 11 days.

**Uptown** (Par) (1,200; 25-35)—'Hurricane' (UA). Moderate $2,500 in prospect. Last week, 'Mannequi ' (M-G), okay $2,800.

**World** (Steffes) (350; 35-40-55-75)—'Mad About usic' (U) (4th week). Headed for neat $2,100. Last week, good $1,950.

## 'SCANDAL'-VAUDE 20G, 'OLD CHI' $15,000, PITT

Pittsburgh, April 19.

Holiday biz plenty disappointing, with early indications of one of the poorest Easter Week showings around here in years. Good Friday was naturally way off, but the anticipated pickup failed to materialize and midsummer weather over weekend sent them everywhere but to the theatre.

**Estimates for This Week**

**Alvin** (Harris) (2,000; 25-35-50)—'Old Chicago' (20th). Should easily hit $15,000, h. o. and more than likely third week. Last week, house split a week with two duals consisting of 'Thank You, Moto' (20th), 'Walking Down Broadway' (20th), 'Little Miss Roughneck' (Col), and 'He Loved An Actress' (GN), getting barely $3,500 with the quartet in seven days.

**Fulton** (Shea-Hyde) (1,750; 25-40)—'Sunnybrook Farm' (20th). Getting its share of afternoon trade chiefly because of the kids but falling off to almost nothing at night; four extra days in order to get house back to a regular Wednesday opening; lucky to get poor $8,000 for first full week. Last week, 'Prison Nurse' (Rep) and 'Love Is a Headache' (M-G), surprise, doing a sock $5,500 for Holy Week and almost a h.o.

**Penn** (Loew's-UA) (2,300; 25-35-50)—'Jezebel' (WB). Chances not very bright for anything more than $14,000, just so-so. Last week, 'Bringing Up Baby' (RKO) considered satisfactory at $12,000.

**Stanley** (WB) (3,800; 25-40-60)—'Fools for Scandal' (WB) and Allan Jones, p. a. Won't be over $20,000, n. s. h. when it's considered that last week, Holy Week, brought the same with 'Over the Wall' (WB) and Jackie Cooper in person with a Major Bowes unit.

**Warner** (WB) (2,000; 25-40)—'Romance in the Dark' (Par) and 'Penrod and Twin Brother' (WB). Twin weakies not likely to crack even the $2,300 mark, miserable. Last week, 'Daughter of Shanghai' (Par) and 'Daredevil Drivers' (WB) got almost that much, about $3,200.

## Lillie Messinger Takes Over RKO Scripts West

Hollywood, April 19.

Lillie Messinger, RKO's New York story editor, has checked in at the studio to take over the duties of Robert Sparks, Coast story head.

Sparks, whose contract still has several months to go, asked for his release.

# Chi Perks Up; 'Jungle'-Vaude 25G, Durbin $25,000, 'College Swing' 18G, 'In Old Chicago' Terrific at $20,000

## Key City Grosses

**Estimated Total Gross**
**This Week..........$1,652,300**
*(Based on 23 cities, 164 theatres, chiefly first runs, including N. Y.)*
**Total Gross Same Week**
**Last Year..........$1,579,000**
*(Based on 22 cities, 157 theatres)*

Chicago, April 19.

Indications are that houses won't need any more excuses. While most of the theatres are going through a regular and seasonal lift of trade, some of the houses are in for a legitimate b.o. boom, due to strong screen product. Especially the case of 'Mad About Music,' 'Snow White' and 'In Old Chicago.'

**Estimates for This Week**

**Apollo** (B&K) (1,200; 35-55-65)—'Judge Hardy' (M-G) (2d run). Looks like easy $7,000 here, excellent. Last week 'Lupin Returns' (M-G) suffered through a week to meagre $4,100.

**Chicago** (B&K) (4,000; 35-55-75)—'Jungle Love' (Par) and stage show. General build-up headed for $25,000, nothing to get excited about, considering the week's coin opportunity. Last week was a weakling for the b.o. of 'Bluebeard' (Par) at $21,500.

**Garrick** (B&K) (900; 35-55-65)—'Snow White' (RKO). In its seventh loop week and still a sensation; zoomng to maybe $13,000. Last week 'Swing Your Lady' (WB) so-so $3,700.

**Oriental** ( ) (3,200; 35-55-75)—'College Swing' (Par) and 'Frisco Follies' unit. House headed for $18,000 oke. Last week 'Jezebel' (WB) finished two-weeker to $17,000, swell.

**Palace** (RKO) (2,500; 25-35-45-55-)—'Mad About Music' (U) and vaude. With holiday season, booming to $25,000, powerful take. Last week 'Snow White' (RKO) finished remarkable six-week gallop to excellent $13,300.

**Roosevelt** ( ) (1,500; 35-55-65-75)—'Old Chicago' (20th). In here after previous roadshow date couple of months ago; big money without question, figuring for $20,000 with breaks. Last week 'Hardy' (M-G) completed neat three-week stay with $8,100, good.

**State-Lake** (Jones) (2,700; 25-35-45-55)—'Settlement' (20th) and vaude. Chester Morris headlining on stage and accounting for biz; upping register to $14,000, best in long time. Last week 'Newsboys' (Rep) was off, $8,600.

**United Artists** (B&K-UA) (1,700; 35-55-65-75)—'Sawyer' (UA) (3d week). Decided to hold over on expectation of holiday coin, and looks for $8,000, nice. Last week turned in $9,500, good.

## Frisco Uneven; 'Living' $17,500, 'Gold West' 18G

San Francisco, April 19.

After taking a terrific beating last week, biz all over town started to pick up Friday night but was held down over week-end by hot weather. Holy Week as a rule is pretty bad here, but this year it was brutal. Most of the houses had kid pictures, which fared fairly well during the matinees, but the evening trade almost hit a standstill.

Best of the newcomers on the street this week are 'Girl of the Golden West,' which is getting a big publicity campaign at the Fox, and 'Joy of Living,' better than average, at the Golden Gate. 'Tom Sawyer,' originally scheduled to play both the United Artists and Embassy, is at the UA alone.

**Estimates for This Week**

**Embassy** (Cohen) (1,512; 35-55)—'Met My Love Again' (UA) and 'Gaiety Girls' (UA). In the nabe of only $3,000, poor. Last week 'Night Spot' (RKO) and 'Living on Love' (RKO) poor $4,000.

**Fox** (F-WC) (5,000; 35-55-75)—'Golden West' (MG) and 'Moto' (20th). MacDonald-Eddy well liked here, and, despite lukewarm notices, should reach around $18,000, big these days. Last week 'Rebecca of Sunnybrook Farm' (20th) and 'Couldn't Say No' (WB) well liked but biz bad at $13,500.

**Golden Gate** (RKO) (2,850; 35-55)—'Joy of Living' (RKO) and vaudeville. In line for big $17,500. Last week 'Law of Underworld' (RKO) and vaudeville, fair $14,000.

**Orpheum** (F&M) (2,440; 35-55)—'Goodbye Broadway' (U) and 'Lone Wolf in Paris' (Col). Lucky to grab $5,000. Last week 'Dr. Hallett' (U) and 'Miss Roughneck' (Col) lah $6,200.

**Paramount** (F-WC) (2,740; 35-55-75)—'Fools for Scandal' (WB) and 'Dangerous to Know' (Par). Dismal $11,000 in sight. Last week (4th) 'Old Chicago' (20th) broke all records in being held for fourth week, but didn't warrant stay with poor $6,000.

**St. Francis** (F-WC) (1,470; 35-55-75)—'Rebecca' (20th) and 'Couldn't Say No' (WB) (2d wk). Temple is well liked in this picture, which failed to do very much at Fox last week; but looks $5,000 here. Last week (8 days) 'Snow White' (RKO) closed six weeks on Market street to big $7,500.

**United Artists** (Cohen) (1,200; 35-55)—'Tom Sawyer' (UA). Looks like $10,000 for the week o.k. Last week (2d) poor $4,500 with 'Hawaii Calls' (RKO).

**Warfield** (F-WC) (2,680; 35-55-75)—'Jezebel' (WB) and 'Island in Sky' (20th) (3d wk). This is the only holdover during Easter week. 'Jezebel' has done much better than expected, considering off biz all over town. Third week may reach $7,000. Last week garnered $11,000.

## Phil Spitalny Pushes 'Women' to Big $15,000 In Buffalo; 'West' 13G

Buffalo, April 19.

For the first time in many years Easter business failed to materialize at all Buffalo box offices. Balmy weather and probably general conditions appear to be mitigating against the usual trend.

**Estimates for This eek**

**Buffalo** (Shea) (3,500; 35-40-60)—'Women Are Like That' (WB) and Phil Spitalny girl band. Looks much better than of late, $15,000. Last week 'Joy of Living' (RKO), n.s.g. at $9,500.

**Century** (Shea) (3,000; 25-35)—'Snow White' (RKO) (2d run). May go to fair $6,500. Last week 'Condemned Women' (RKO) and 'Love, Honor and Obey' (WB), better at okay $7,800.

**Great Lakes** (Shea) (3,000; 35-55)—'Golden West' (M-G). Probably get fine $13,000. Last week 'Chicago' (20th) (3d week), excellent $6,800.

**Hipp** (Shea) (2,100; 30-50)—'Tom Sawyer' (UA). Probably $8,000, pretty fair. Last week 'Hardy's Children' (M-G) and 'Bulldog Drummond's Revenge' (Par) fair $6,900.

**Lafayette** (Ind.) (3,300; 25-35)—'Start Cheering' (Col) and 'Who Killed Gail Preston' (Col). Only fair $6,000. Last week 'Trapped by G-Men' (Col) and 'It Happened in Hollywood' (Col), slow, just over $6,000.

## TEACHERS UP L'VILLE; SHIRLEY $8,000 BEST

Louisville, April 19.

Pic house biz received a welcome hypo with the advent into town of some 7,000 school teachers over the weekend. Pedagogues were conventioning Thursday through Saturday, and found time between sessions to take a gander at the films.

**Estimates for This Week**

**Brown** (Fourth Ave. - Loew's) (1,500; 15-30-40) — 'Old Chicago' (20th) (2d run). Still potent enough to cop good $2,500. Last week 'Golden West' (MG) and 'Who Killed Gail Preston' (Col) (2d run), light $2,000.

**Kentucky** (Switow) (900; 15-20)—'International Settlement' (20th) and 'Happy Landing' (20th). Getting across nicely, $2,300. Last week, 'Swing Your Lady' (WB) and 'Checkers' (20th) dual, split with 'Penrod and Twin Brother' (WB) and 'She's Got Everything' (RKO), dual, average $1,800.

**Loew's State** (3,000; 15-30-40)—'Marco Polo' (UA) and 'Gaiety Girls' (UA), dual. Indications are for pretty good $6,400. Last week 'Hardy's Children' (M-G) and 'Arsene Lupin Returns' (M-G), dual, so-so $5,200.

**Mary Anderson** (Libson) (1,000; 15-30-40)—'Fools for Scandal' (WB). Probably around $3,300, fair. Last week 'Jezebel' (WB) (3d week), windup about $2,300, oke.

**Ohio** (Settos) (900; 15)—'Easy Living' (Par) and 'Kid Galahad' (WB) dual, split with 'As Good As Married' (U) and 'Case of the Stuttering Bishop' (WB), dual. Weak $1,100. Last week 'Californian' (20th) and 'Marked Woman' (WB), dual, split with 'Go Getter' (WB) and 'When Love Is Young' (U), dual, so-so $1,200.

**Rialto** (Fourth Ave.) (3,000; 15-30-40)—'Sunnybrook Farm' (20th) and 'Trip to Paris' (20th). Take will be under former Temple pics, but plenty okay $8,000. Last week 'In Old Chicago' (20th) (2d week), strong $8,000.

**Strand** (Fourth Ave.) (1,400; 15-30-40)—'Joy of Living' (RKO) and 'Condemned Women' (RKO). Outlook is for fair $3,600. Last week 'Tip-Off Girls' (Par) and 'This Marriage Business' (RKO), dual, pretty limp $2,900.

## 'MARCO' $12,000, 'LIVING' 14G, BALTO

Baltimore, April 19.

Good run of product and consistent holiday response pulling local grosses out of slump of recent weeks.

**Estimates for This Week**

**Auditorium** (McLaughlin) (1,575; 15-25-40)—'Snow White' (RKO) (10th week). Possible wind-up of run with okay $4,000 after consistent profit; total to date $78,600.

**Century** (Loew's-UA) (3,000; 15-25-35-40-55)—'Marco Polo' (UA). Steadily building to okay $12,000. Last week, 'Judge Hardy' (M-G) just fair at $7,900.

**Hippodrome** (Rappaport) (2,205; 15-25-35-40-55-66)—'Joy of Living' (RKO) plus p.a. of Clyde McCoy and Abbott and Costello. Profit at $14,000. Last week, 'Lone Wolf in Paris' (Col) plus 'Chicago Follies' unit, ild $9,600.

**Keith's** (Schanberger) (2,460; 15-25-35-40-55)—'Her Jungle Love' (Par). Fair reception to possible $6,000. Last week, revival of 'Trail of Lonesome Pine' (Par) not so forte at $3,300.

**New** (Mechanic) (1,558; 15-25-35-55)—'In Old Chicago' (20th). Very strong to $7,000. Last week, 'Dangerous to Know' (Par), nothing at all at $2,600.

**Stanley** (WB) (3,250; 15-25-35-40-55)—'Fools for Scandal' (WB). Not grabbing hold in expected style with $6,500 the count. Last week, third of 'Jezebel' (WB) held up well to $4,900 after previous total to $24,300.

## 'HAWAII'-VAUDE $14,000; 'MERRILY' 8G, MONTREAL

Montreal, April 19.

All main stems with new bills, plus His Majesty's going flicker. Generally good biz everywhere. Loew's is back to vaude after a two-month layoff.

**Estimates for This eek**

**His Majesty's** (CT) (1,600; 50)—'Mayerling' (French). Should gross good $6,000. Dark last week.

**Palace** (CT) (2,700; 50)—' ad About Music' (U). Liable to be one of the year's hits; at least $10,000. Last week, 'First 100 Years' (M-G) $5,000, good enough.

**Capitol** (CT) (2,700; 50)—'Merrily We Live' (M-G) and 'Arsene Lupin Returns' (M-G). Points to good $8,000. Last week, 'Sally, Irene and Mary' (20th) and 'International Settlement' (20th), $5,500, good enough.

**Loew's** (M.T.Co.) (3,200; 50)—'Hawaii Calls' (RKO) and Red Skelton on stage. Should gross up to $14,000, mostly on vaude, excellent. Last week, 'Wide Open Faces' (Col) and 'Lone Wolf in Paris' (Col) $3,500, poor.

**Princess** (CT) (2,300; 50)—'Her Jungle Love' (Par) and 'Tip Off Girls' (Par). Likely $7,500, very good. Last week, 'Human Hearts' (M-G) and 'Women Men Marry' (M-G) $4,500, good.

**Orpheum** (Ind) (1,100; 50)—'Goldwyn Follies' (UA). Should gross $7,000, very good. Last week repeat of 'Stand In' (UA), $2,000, poor.

**Cinema de Paris** (France-Film) (600; 50)—'Les Mensonges de Nina de Petrovna.' Expect $2,500, good. Last week repeat of 'Soeurs D'Armes,' very poor $1,000.

**St. Denis** (France-Film) (2,300; 34)—'L'Appel de la Vie' and 'Les Degourdis de la Onzieme.' May gross as high as $7,000, good. Last week, 'Passion Play pic, 'Golgotha,' hit highest for many months at $12,000, almost a record.

## CUNNINGHAM'S PIC

Hollywood, April 19.

Universal has signed Cecil Cunningham, former legit comedienne, to head the supporting cast in 'Suspicion,' which James Whale is directing with Warren William and Gail Patrick in the featured roles.

Ed Grainger is producing.

# Easter Blooms B'way; 'Test Pilot' Zooms $52,000, 'Marco Polo' 100G 2d, 'Chi' Sock 50G 2d, Lamour-Dorsey 48G

## Broadway Grosses

**Estimated Total Gross**
**This Week..........$331,500**
*(Based on 12 theatres)*
**Total Gross Same Week**
**Last Year..... .....$290,500**
*(Based on 12 theatres)*

With the arrival of Easter, the tone of business on Broadway became much firmer. However, a few of the pictures are being slighted, among them 'Torchy Blane in Panama,' 'Sailing Along,' 'Wide Open Faces' and 'Pimpernel.'

Relief normally brought by the end of Lent is greatly benefiting other attractions, notably 'Test Pilot,' 'Marco Polo,' 'In Old Chicago' and 'Her Jungle Love,' latter with Tommy Dorsey's orchestra and Ben Blue on the stage. Pictures which opened prior to Saturday had much to overcome, Good Friday (15) being bad everywhere, but with a fine play Saturday (16) and a tremendous boost in business, where there was any business at all on Sunday (17), the offset was very helpful. Even Monday, a rainy day, was unusually good, a house like the Music Hall doing as much as $13,000 on the day. Other elements in favor of pictures which ought to build them this week include Passover, which started Friday night (15), and a vacation for the kids until Monday (25). Against this, however, was the opening of horse racing Saturday (16), which drew an afternoon crowd of 25,000 and the start of ball games yesterday (Tues.), pl the usual spring fever.

'Test Pilot' is the first picture in a long time to bring smash action to the Capitol, the week looking around $52,000, tremendous. At the Paramount 'Her Jungle Love,' which got bad notices, has the support of Tommy Dorsey's band, plus Ben Blue, in the pit for a first seven days' take of $48,000, very big, considering the fact that the show opened Wednesday (13) and had half of Holy Week to contend with.

Both 'Polo' and 'Chicago' are on second weeks. Former, at the Music Hall, looks a mighty $100,000 on the holdover, as compared with a first seven days' gross of $92,000 and thus goes a third lap. 'Chicago,' Roxy tenant, also goes a third stanza on the strength of a second week's pace of $50,000 or better. It scored an excellent $58,000 on its initial seven days through most of Holy Week. Other holdovers, going into second weeks, are 'Pilot' and 'Jungle Love.'

'Torchy Blane,' into the Strand Saturday (16), is getting kicked around badly, only about $8,000. They are also passing up 'Sailing Along,' the Criterion looking about $7,000 with this English-made. Joe E. Brown's latest, 'Wide Open Faces,' will get only $6,500 for the Rialto, better than of late, but only fair. 'Pimpernel,' $3,500 on its first week at the Rivoli, pepped up a little and may get another $8,500, but no more. On the two stanzas a sad disappointment.

'Penrod and His Twin Brother' is doing pretty well for the Globe, where about $7,500 is expected, over average.

The State, with 'Goldwyn Follies' on second-run and Rudy Vallee is churning strongly for a possible $35,000, very good. House over Holy Week managed to hold to a nice $27,500, smart profit, with 'Tom Sawyer' and Allan Jones on a personal. Mae West comes in Thursday, and the house figures on seven shows a day from the gong.

**Estimates for This Week**

**Capitol** (4,520; 25-35-55-85-$1.25)—'Test Pilot' (MG). A smash of the first water, looking $52,000, very big, or over. Holds a second week. 'Judge Hardy's Children' (MG), in ahead, went nine days, getting around $18,000, poor.

**Criterion** (1,662; 25-40-55)—'Sailing Along' (GB). Off slowly Thursday (14) and lucky if pushing through to $7,000, only fair. Last week, 'Hollywood Stadium Mysteries' (Rep), around $8,000.

**Globe** (1,274; 25-40-55)—'Penrod and Twin Brother' (WB). Pace points to a probable $7,500, good. Last week, 'Rawhide' (20th) held down by Holy Week to slightly over $6,000, under average but no loss.

**Palace** (1,700; 25-35-55)—'Fools for Scandal' (WB) and 'Over the Wall' (WB), both 2d run, dualed. This duet may get $9,000. Last week, 'Jezebel' (WB) (2d run) and 'Moto's Gamble' (20th) (1st run), brought a surprisingly good $11,500.

**Paramount** (3,664; 25-35-55-85-99)—'Jungle Love' (Par) (2d week) and, in pit, Tommy Dorsey Orchestra, plus Ben Blue. Stage show strongly credited with excellent $48,000 first week, ending last night (Tues.), picture having received poor notices. Starts second week today (Wed.). Last week, third for 'Eighth Wife' (Par) and Guy Lombardo band, $27,500, very satisfactory. House had more of Holy Week on its current show than others, having started 'Love' and Dorsey Wednesday (13).

**Radio City Music Hall** (5,980; 40-60-84-99-$1.65)—'Marco Polo' (UA) and stage show (2d week). Easter brought a terrific hypo, with second week (current) looking $100,000 as against first seven days' take of $92,000 but very good. Goes a third heat. House has a strong show for the kids.

**Rialto** (7 ; 25-40-55)—' ide Open Faces' (Col). It looks like only about $6.5 , fair. Last week, 'Dracula' (U) (reissue), finished with only a little better than ,000, light.

**Rivoli** (2,092; 25-55-75-85-90)—'Pimpernel' (UA) (2d-final week). A dud but may get up to $8,500, matching the first week's gross, very bad. 'Battle of Broadway' (20th) opens Sat. (23).

**Roxy** (5,836; 25-40-55-75)—'Chicago' (20th) and stage show (2d week). Very stout on its second (current) week, probably $50,000, big, after a first seven days' sensational $58,000. A third stanza i scheduled.

**Strand** (2,767; 25-55-75)—'Torchy Blane' (WB). No dice, around $8,000 being snake eyes. Last week, 'Women Are Like That' (WB) another sock in the jaw, under $9,000.

**State** (3,450; 35-55-75)—'Goldwyn Follies' (UA) (2d run) and Rudy Vallee. All signs point to a remarkably potent week of possibly $35,000. Last week, 'Sawyer' (UA) (2d run) and Allan Jones got $27,500, very good for Lent. Mae West comes in Thursday with 'Mad About Music' (U).

## 'MARCO' $12,500, 'HARDY' 4½G, CINCY

Cincinnati, April 19.

Post-Lenten pickup for cinema biz is fairly good. 'Marco Polo' is pacing the pic field for the Palace. Next best is 'Joy of Living' in the Albee.

**Estimates for This Week**

**Albee** (RKO) (3,300; 35-42)—'Joy of Living' (RKO). Fair $11,000. Last week 'Merrily We Live' (M-G), $13,000, good.

**Capitol** (RKO) (2,000; 35-42)—'Merrily We Live' (M-G) (2d run). Ordinary $4,000. Last week 'Golden West' (M-G) (2d week), $4,500, all right.

**Family** (RKO) (1,000; 15-25)—'Bulldog Drummond's Peril' (Par), 'Tarzan's Revenge' (20th), 'Boggs Steps Out' (GN), separate. Good $2,5 . Last week 'Moto Takes a Chance' (20th), 'Old Barn Dance' (Rep), 'Jury's Secret' (U), separate, also good $2,500.

**Grand** (RKO) (1,200; 25-40)—'Golden West' (M-G) (3d week). Fair $2,800. Last week 'Bluebeard' (Par) (3d week), $3,000, okay.

**Keith's** (Libson) (1,500; 25-40)—'Hardy's Children' (M-G). Fair $4,500. Last week 'Jezebel' (WB) (2d week), $4,000, all right.

**Lyric** (RKO) (1,400; 35-42)—'Hawaii Calls' (RKO). Poor $3,500. Last week 'Dangerous to Know' (Par), six days, $2,500, terrible.

**Palace** (RKO) (2,600; 35-42)—'Marco Polo' (UA). No complaints, $12,500. Last week 'Baroness and Butler' (20th), $10,000, fairly good.

**Shubert** (RKO) (2,150; 42-60)—'Midnight Intruder' (U) and Al Pearce gang. Good $13,000. Last week 'Lone Wolf in Paris' (Col) and Buddy Rogers' band, $10,000, disappointing.

## Morris' Warners Pair

Hollywood, April 19.

William Keighley, Warners director, started shooting exteriors for 'The Valley of the Giants' last week at Eureka, Calif., natural locale of the story.

Robert Lord, producer, will order the cameras to grind on backgrounds for 'Brother Rat' at Virginia Military Institute May 2.

ayne Morris has the male leads in both pictures under general supervision of Hal B. Wallis, executive associate in charge of pr de-tion at Warners.

# 'Rebecca'-Jessel-Talmadge Strong 29G; 'College Swing'-Spanky 23G, Det.

Detroit, April 19.

General pickup here and good all-around lineups augur well for satisfactory grosses almost everywhere.

Tossup between Fox, with 'Rebecca' and George Jessel-Norma Talmadge headlining stage show, and Michigan, playing 'College Swing' with Spanky McFarland and Tommy Riggs' Betty Lou topping vaude. 'Snow White,' in eighth week at Madison counting two day-date sessions at UA, perked somewhat to warrant another stanza.

**Estimates for This Week**

**Adams** (Balaban) (1,700; 30-40)—'Old Chicago' (20th) (2d week of re-run) plus 'When G-Men Step In' (Col), dual. Sticking for second stanza, following two sessions at the Fox, and looks for big $7,500. Last week, coupled with 'Gail Preston' (Col), grabbed good $4,500 in view of things.

**Fox** (Indie) (5,000; 30-40-65)—'Rebecca' (20th) with George Jessel and Norma Talmadge topping vaude, figures for nice $29,000 after late start. Last week poor $15,000 for 'Dr. Syn' (GB) and vaude.

**Madison** (United Detroit) (2,000; 30-40-65)—'Snow White' (RKO) (8th week). Figured to pull out after last week, but stays for eighth week in town, at okay $6,500 pace, following satisfactory $5,500 last week.

**Michigan** (UD) (4,000; 30-40-65)—'College Swing' (Par) with Spanky McFarland, Tommy Riggs and Mary Lou on stage. Looks for good $23,000. Very mild $11,500 last stanza for 'Hawaii Calls' (RKO) and stage show.

**Palms-State** (UD) (3,000; 30-40-50)—'Romance in Dark' (Par) plus 'Over Wall' (WB), dual. Good $8,000. Last week tepid $6,000 for 'Jezebel' (WB) (re-run) and 'Crashing Hollywood' (RKO).

**United Artists** (U) (2,000; 30-40-65)—'First 100 Years' (MG). Doing very poorly, probably no more than $5,000. Under $6,000 last week for second session of 'Merrily We Live' (MG).

# 'MARCO' $13,500, PROV.; 'BATTLE B'WAY' $7,500

Providence, April 19.

Seasonal uplift of biz following Lenten observances has exhibs smiling again. Loew's looking for biggest with 'Marco Polo,' while others, though not expecting any sensational jump, are hopeful. Strand switched programs Sunday (17) after bad week.

**Estimates for This Week**

**Albee** (RKO) (2,200; 25-35-50)—'Hawaii Calls' (RKO) and 'Joy of Living' (RKO). Look for pleasing $7,500. Last week 'Mad About Music' (U) and 'Night Spot' (RKO) (2d week), slipped to so-so $6,000.

**Carlton** (Fay-Loew) (1,400; 25-35-50)—'Hardy's Children' (M-G) and 'Lone Wolf in Paris' (Col) (2d run). Fine $3,500 in offing. Last week 'Golden West' (M-G) (2d run), not so hot $2,600.

**Fay's** (2,000; 25-35-50)—'Over the Wall' (WB) and vaude on stage. Pickup $6,500 expected. Last week 'She Loved a Fireman' (WB) and vaude, managed meager $5,000.

**Loew's State** (3,200; 25-35-50)—'Marco Polo' (UA) and 'Gaiety Girls' (UA). Heading for zowie $13,500. Last week 'Hardy's Children' (M-G) and 'Lone Wolf in Paris' (Col), excellent $11,000.

**Majestic** (Fay) (2,300; 25-35-50)—'Battle of Broadway' (20th) and 'Accidents Will Happen' (WB). Looking up, $7,500. Last week 'Island in the Sky' (20th) and 'Love, Honor and Behave' (WB), had bad time, $6,000.

**Strand** (Indie) (2,200; 25-35-50)—'Her Jungle Love' (Par) and 'Bulldog Drummond's Revenge' (Par). May swing biz from red for satisfactory $7,000. Last week 'Blossoms on Broadway' (Par) and 'Sea Racketeer' (Rep) hit low $2,500 for five-day run.

# 'Marco Polo' $10,000, Sets Seattle Record

Portland, Ore., April 19.

arco Polo' at Parker's Broadway is a smash hit. 'Girl of the Golden West' is still bearing up in its fourth week at Parker's UA.

Rivoli dropped its regular vaudfilm policy and will go straight films throughout the summer.

**Estimates for This Week**

**Broadway** (Parker) (2,000; 30-55)—'Marco Polo' (UA). Record-breaking $10,000. Last week, 'Merrily We Live' (M-G) and 'She Loved a Fireman' (WB), average $5,200.

**Mayfair** (Parker-Evergreen) (1,500; 30-55)—'Merrily We Live' (M-G) (2d week). Getting okay $1,800. Last week, 'Snow White' (RKO) (6th week), good $2,000.

**Orpheum** (Hamrick-Evergreen) (2,000; 30-55)—'Jezebel' (WB) and 'Romance in the Dark' (Par) (2d week). Fair $4,000. First week, big $5,800.

**Paramount** vergreen) (3,000; 30-55)—'Sunnybrook Farm' (20th) and 'International Settlement' (20th). Good enough $5,700. Last week, 'Bluebeard' (Par) and 'Night Spot' (RKO) (2d week), okay $4,500.

**Rivoli** (Indie) (1,200; 25-35)—'Old Kentucky Home' (Mono) and 'Double Danger' (RKO); abandoned this week its usual vaude policy. Doing well enough with straight films: $1,800. Last week, 'Old Barn Dance' (Mono) and 'There Goes the Groom' (RKO), with vaude, good $3,200.

**United Artists** (Parker) (1,000; 30-55)—'Golden West' (M-G) (4th week). Okay $3,500. Third week nice $4,500. First two weeks piled up total of $14,500.

# 'ACCIDENTS'-KING 13½G, 'MARCO' $7,500, INDPLS.

Indianapolis, April 19.

ayne King and his orchestra are proving to be a powerful box office magnet at the vaudfilm Lyric and will more than double that theatre's average weekly gross of the past few months. 'Marco Polo' at Loew's occupies the runner-up position among the first runs with an okay take, while 'Rebecca' at the Indiana is only fair.

**Estimates for This eek**

**Apollo** (Katz-Dolle) (1,100; 25-30-40)—'Old Chicago' (20th) (2d run). Looks all right at $3,200, considering. Last week, holdover of 'Jezebel' (WB) and 'He Couldn't Say No' (WB), light $2,500.

**Circle** (Katz-Dolle) (2,600; 25-30-40)—'Jungle Love' (Par) and 'Moto's Gamble' (20th). Likely only moderate $5,100. Last week, bad $2,900 on 'Sailing Along' (GB) and 'Tip Off Girls' (Par).

**Indiana** (Katz-Dolle) (3,100; 25-30-40)—'Rebecca' (20th) and 'This Marriage Business' (RKO). Gross $6,000, not bad but under expectations. Last week, 'In Old Chicago' (20th) (2d week), very good $6,400.

**Loew's** (Loew's) (2,400; 25-30-40)—'Marco Polo' (UA) and 'Gaiety Girls' (UA). Good $7,500. Last week, 'Human Hearts' (M-G), and 'Wide Open Faces' (Col), slow at $4,200.

**Lyric** (Olson) (2,000; 25-30-40)—'Accidents Will Happen' (WB) and Wayne King orch on stage. Smashing $13,500, very big. Last week, 'Over the Wall' (WB) and stage revue, ,200, weak.

# 'Golden West' $12,000, 'Settlement' 11G, Denver

Denver, April 19.

Holiday biz is generally good this week, with 'Girl of the Golden West' reaping a harvest.

**Estimates for This Week**

**Aladdin** (Fox) (1,400; 25-40)—'Slight Case of Murder' (WB) (2d run). Climbing to nice $3,000. Last week 'Mad About Music' (U), good $4,500.

**Broadway** (Fox) (1,1 ; 25-40)—'Yank at Oxford' (M-G) and 'Love Is a Headache' (M-G) (2d run). Nice $3,000. Last week, Sunnybrook Farm' (20th), only fair $2,000; with typical Shirley Temple audiences—big matinees but only fair nights.

**Denham** (Cockrill) (1,750; 25-35-40)—'Jungle Love' (Par) and 'Portia on Trial' (Rep) (2d week). Nice $5,500. Last week, same films, nice $8,000.

**Denver** (Fox) (2,525; 25-35-50)—'International Settlement' (20th), with Bowes unit. Amateurs slipping at the b.o.; $11,000, only so-so. Last week, 'Slight Case of Murder' (WB), good enough at $6,000.

**Orpheum** (RKO) (2,600; 25-35-40)—'Girl of the Golden West' (M-G). Hefty $12,000. Last week, 'Yank at Oxford' (M-G) and 'Love Is a Headache' (M-G), held two days over the week; nice $11,500.

**Paramount** (Fox) (2,200; 25-40)—'Penrod and Twin Brother' (WB) and 'Love, Honor and Behave' (WB). Very tasty $4,000. Last week, 'Walking Down Broadway' (20th) and 'Jury's Secret' (U), fair $3,000.

**Rialto** (Fox) (676; 25-40)—'Mad About Music' (U) (3d run) and 'Rose of the Rio Grande' ( ono). Close to house record, $3,800; stays 11 days. Last week 'Goldwyn Follies' (UA) (4th week) and 'Women in Prison' (Col), nice $2,000.

# Judell's 42 Progs

Hollywood, April 19.

Progressive Pictures, headed by Ben N. Judell, has increased its schedule from 12 to 42 pictures, 30 of which will be based on controversi themes.

New organi tion, producing at Grand National studi , has completed two pictures and has a third rolling. Judell plans a sales trip to New York after the filming of 'Temptations of Youth,' slated as fourth on the schedule.

# Canadian Showmen Joe Franklin and Spencer Ill

St. John, N. B., April 19.

While on a tour of Europe, Joseph M. Franklin, of St. John, president of the Franklin & Herschorn circuit of film theatres, was taken quite seriously ill, and has been in a London hospital for three weeks. His son, Mitchell Franklin, manager of the Mayfair and Regent, the F. & H. houses in St. John, has been keeping the cables hot, seeking information on his father's condition. Present indications are that the latter will be able to make the trip across the ocean within the next few weeks.

In past winter seasons he had spent most of his time in Florida. He was formerly RKO theatre head for Canada, and previously operated a circuit of combo vaude and film theatres in the maritime provinces. He was also manager of Keith-Albee houses in Toronto and, Ottawa, Ont.

Another northeastern film theatre circuit head who is ailing is Fred G. Spencer, founder and president of the F. G. Spencer chain of 19 houses. Accompanied by his wife and son, Gordon, he has been touring California and Florida, and is now spending several weeks in New York, enroute home to St. John.

## Simone Optioned

Hollywood, April 19.

Simone Simon's option was lifted by Darryl Zanuck at 20th-Fox with a salary boost because of her work in 'Josette.'

She draws the title role in the filmusical, 'French Doll.'

## Lahr-Joan Davis Encore

Hollywood, April 19.

Third picture for Bert Lahr and Joan Davis as supporting comics will be 'Lucky Penny' at 20th-Fox.

Film stars Shirley Temple.

# Philly Upbeat; 'Island'-Orch 23G, 'Old Chi' $19,200, 'Scandal' $17,000

Philadelphia, April 19.

Powerful product right down the line, and natural reaction following Holy Week and finale of Lent soaring b.o.'s here to niftiest aggregate figure since early last fall. Only one h.o., and that doing big, also helping to swell the total.

**Estimates for This Week**

**Aldine** (WB) (1,303; 42-57-75)—'Marco Polo' (UA). Swell $16,600 entitles it to three weeks, or even more, depending upon push of product. Last week 'Gaiety Girls' (UA), near record low at $5,400.

**Boyd** (WB) (2,350; 42-57-68-75)—'Mad About Music' (U) (2d week). Very good at $10,300 after neat opening turn with $17,900. 'Joy of Living' (RKO) in Thursday (21).

**Earle** (WB) (2,756; 25-37-42-57-66)—'Island in the Sky' (20th). Glen Gray orch on stage. Clicking off nifty $23,000. Last week 'Bulldog Drummond's Peril' (Par), backed by Happy Felton band, mediocre $17,200.

**Fox** (WB) (2,423; 42-57-68-75)—'Old Chicago' (20th) (1st regular run). lazing splendidly, $19,200; good for at least one more stanza. Last week 'Bluebeard' (Par) (3d week) fairly good at $6,700, considering length of stay.

**Karlton** (WB) (1,066; 42-57-66)—'Jezebel' (WB) (2d run). Clicking merrily with $7,500. Last session, 'Rebecca' (20th) (2d run) so-so at $7,700 for 10 days.

**Keith's** (WB) (1,670; 42-57-66)—'Snow White' (RKO) (3d week of 2d run). Will bite off $6,000 after last week's $9,000. Was only set for three weeks here, but doing so well, WB still undecided about another.

**Stanley** (WB) (2,916; 42-57-68-75)—'Fools for Scandal' (WB). Doing neatly at $17,000; however, not enough for another trot, and 'Test Pilot' fli in to follow it. Last week 'Jezebel' ) (2d week) so-so $13,100.

**Stanton** (WB) (1,457; 37-42-57)—'Prison Nurse' (Rep). Hoofing along at nice $9,400. Last week 'Tin Off Girls' (Par), also good, considering general decline, $5,900.

# Inside Stuff—Pictures

That section of the latest arch of Time release dealing with Germany's take-over of Austria has been rejected by Warner Bros. theatre circuit, according to announcement by Joseph Bernhard, general manager of circuit. Circuit also turned thumbs down on the M. of T. issue a couple of months ago entirely devoted to Hitler and Nazi Germany on the grounds that it was pro-Nazi. Present Nazi topic, entitled 'Nazi Conquest—No. 1,' consumes about 60% of entire picture, released officially April 15.

Impartial observers who have seen the March of Time issue aver that it is an unbiased presentation of Hitler's Austrian coup, ending with the implication that he may seek further expansion and military power, or meet his downfall attempting it. About 40% of scenes are staged, including flash of a suicide, politico victim, obviously made in the studio. Bulk of photographed scenes of incidents and principals in the Austria putsch are not unlike those shown in newsreels. Narration gives a fairly even presentation of the political developments surrounding the rise of Nazism.

Recent habit of several newsreels helping friends turn out a freak reel of censored or eliminated clips for special association meetings or banquets is bemoaned by the newsreel cameramen who have to get photographic interviews of celebs. They claim it makes many of these notables 'gun-shy' of posing for the lensmen and recordings.

Newsreels always have cooperated with sensible wishes of notables i eli inating flattering clips or in off-guard shots when the speakers blew their lines. These were clipped from newsreel releases. It is when they bob up again in some tossed-together subject for a special affair and a limited audience that the harm is done, camera crews contend, because the persons projected in these subjects always learn about the extra reel's showing.

igh dudgeon of Collier's edi rs against Hollywood's publicity chiefs reached a record altitude last week when the publishers shipped an ambassador extraordinary from New York to lay their troubles before Joe Breen, head of the Hays purifiers on the Coast. Beef concerns the embargo on left-handed publicity. Top flacks of the studios insist on censoring candid art bulbed by magazine flacks, particularly when said art depicts marquee names in unflattering poses. These confiscated pictures, supposedly killed by studio p.a.'s, often creep into rival magazines. the squawk by Colliers.

Original story of Deanna Durbin's next for Univer l, 'That Cer Age,' is the work of Aleen Wetstein, author of the daily 'One Girl Chorus' column in the Pittsburgh Press. iss Wetstein went to Coast on spec several months ago looking for a studio writing chore and at the same time continuing her paper stint from there.

Plans to remain in Hollywood indefini , with Scripps-Howard sheet in Pitt agreeable to taking her column from out there as long as she cares to remain. Charles Brackett and Billy Wilder are doing the screen play from Mi Wetstein's original.

Twentieth Century-Fox publicists and Coast correspondents are having a war of words. Prisoners of Zanuck insist on spelling 'Kidnapped' with two p's and scribblers break it down to one. As word in this case stems from Stevenson's novel of the same name, studio believes it should stick to the classic spelling.

Stevenson did a sequel to 'Kidnapped,' using same hero, Davi which came out originally under billing of 'Catriona.' Ribbers are suggesting lot-logicians might try that one on their marquees if the word-racketeers can't get together on how to spell Snatched, old style.

Experiment in distributing sponsored films is being tried by United Fruit in the Boston exchange area. Deal has been made with Monogram exchange in that city whereby a single reel short, 'Yes, Bananas,' is offered exhibitors gratis.

Distribution does not cover entire Boston exchange district, and the United Fruit picture admittedly is being handled in the nature of an experiment. If exhibs show a desire for this type of commercial production same plan may be tried elsewhere.

Story that Pierre Collings, credited with the original story of the 'Life of Pasteur' for which he got last year's Academy award, had died penniless in a flop house in Los Angeles, where his gold statue was found wrapped in an old sweater, was on the meller side. Fact is that he was out of a job when he died, but he died at home with his people and the statue had been snaked by a gyp who found it too hot to sell, and hid it in the laundry closet of the flop house. Finder got $25 from the Academy for returni it and his picture in the paper.

Educational has gone out of the Paramount Astoria, L. I., studio, wher it has been producing shorts during the past few years for release by 20th-Fox. Studio on the Coast, where E. W. Hammons formerly produced, is under lease to Grand National. New producing arrangements, either east or west, will be set on completion of plans for distribution of Educational product starting with the 1938-39 season. Hammons has negotiations on now for release with one of the leading majors.

Studios have hit on a new angle in previewing their pictures on the Coast. Indie plant last week utilized the projection room in Roosevelt hotel and followed through with a festive spread. Next month Paramount unveils 'Cocoanut Grove' in the Ambassador hotel's theatre, and then takes the cricks into the Grove for an evening of food and fun. Players from the studio and in the picture will regale the first nighters. NBC is taking the event for a cross-country ride.

Connoisseurs, so-called, of imported liquor in Hollywood took it smack on the palate last week. They had bought a flood of a certain brand, 'right from the Highlands of Scotland,' at $30 the case, while their supposedly uninitiated neighbors were paying the standard price, $42. A bargain is a bargai , and $12 is $12, even in Hollywood. But along came a Federal sleuth who checked up on the bargain whisky to find that the likker peddler had been buying a 20% scotch at $16 the case and selling it in refilled bottles at $30.

Reported that a device used by Ed Fisher, head projectionist at the Palace, Albany, to heighten the illusion of the blaze 'In Old Chicago,' will be adopted in other theatres showing the picture. Fisher carefully placed a piece of red cellophane behi lm, in the fire scenes. is made them appear more realistic.

Spring cleaning at the RKO stu io resulted in the heave-ho for a lot of informal tenants who had been soaking up free warmth, light and phone service in swank office suites. Non-paying sit-downers were ousted after a checkup revealed they were no longer attached to the payroll.

One columnist recently reported how the studios and Haysites ha listened to his excellent reasoning and promised that there would be n more piling up of previews on one night. So the next week there wer four previews in one night.

Critics coming out of Paramount theatre in Los Angeles, after preview of 'College Swing' in which Jackie Coogan has a part, thought the newsboys yelling 'Jackie Coogan Sues Parents for Four Million' was a publicity gag. Closeup proved suit was authentic and that timing was accidental.

# SHOWDOWN ON PHILLY GAMES

iladelphi , April 19.

.ither quiet shelving in a couple of months of recent court decision outlawing games in Pennsy or a legal battle so prolonged nobody will care ut the outcome was looked for by this week as result of new gal maneuverings.

John P. Connelly, attorney, has been retained by the operators to present their side. He filed a petition yesterday which was allowed, to intervene in the test case on which the games were nix Petition allows him not only to make usual arguments when the suit comes up agai ,, but to present new evidence.

In the meantime, all proceedings are stayed and police have been instructed not to interfere with theatres using bingo, bango or banknight.

Police, in effect, had already received instructions not to interfere with the games by Judge Harry S. cDevitt, who issued the game ruling. He withheld enforcement until next Monday (25) when the three judges of Common Pleas Court No. 1 will sit en banc to hear arguments for exceptions to McDevitt's decision.

Connelly at this time will also present the new evidence. At rney was actually hired by Dave Barrist, principal owner of Quality Premium Co., distrib of Bonus, one of the most popular games in the territory. Suit was filed in name of ayfair theatre, which Barrist also owns.

ass meeting of exhibs has been called for Thursday at the Broadwood hotel to discuss the McDevitt ruling and lay out a course. Attempt will be made to get exhibs to give pledges to cover legal costs. Barrist has guaranteed Connelly's fee himself and aims to salvage as much as he can out of it. He claims he could make bigger profits by allowing the games to die and going back to selling dishes exclusively. Dish biz would naturally pick up again with demise of bango.

Exhib committee in charge of meeting includes Herb Elliott, Fern Rock theatre; Sam Stiefel, Fays; Luke Gring, Erlen, and Barrist.

Games were given further booting in Camden county last week. Supreme court Justice Donges instructed the grand jury, 'There must be no games of chance or gambling in this county. Games such as bingo, bango and banknight as played in churches and theatres may be construed as gambling.'

# TO APPEAL N. Y.'S NIX ON 'BIRTH OF BABY' PIC

Decision of New York Board of Regents last week in refusing to license the film, 'Birth of a Baby,' for showing in theatres generally, will result in ruling being appealed to the courts by the American Committee on Maternal Welfare, Inc., which announced an immediate appeal when the regents ruled, 'Undoubtedly the film has high educational value.' Regents' action followed nix on film by state censors and upheld the censorial board in the contention that the picture was not for general entertainment.

Understood that the Regents pointed out that the owners or distributors of 'Birth of a Baby' still had the right to re-submit the picture to the state censors possibly in new form or with certain eliminations.

Des Moines, April 19.

irth of a Baby' has met approval of the Polk County Medical Society for public showing here. ,Everett D. Plass of the University of Iowa is one of five members of the committee which supervised the picture for the American Com ittee on Maternal Welfare.

Atlanta, April 19.

Screening of 'Birth of a Baby' will be one of the features of a four-day convention of ical Association of Geor ia, whi ooens April 26 in Aug Film will be shown to au ience composed of physicians, their wives, nurses, social workers, ministers and other persons interested making childbirth safer for American mothers.

Copies of Life mag, which featured shots from 'Birth' pic, banned from Savannah newsstands, received sanction and praise of Augusta officials.

## TERP ROUNDUP

**Metro Using 800 Dancers in Three lctures**

Hollywo ; April 19.

etro has sent out call for 800 dancers, the greatest number registered at the studio in the last nine months.

Two hundred will be used in 'Marie Antoinette,' 400 in 'The Great Waltz,' and remainder in 'Sweethearts.' Albertina Rasch will direct all groups.

# PAR'S RADIO BALLY ON 'WINGS' ALL SET

Paramount Pictures is c ing up a deal with the Mutual network, in conjunction with the Don Lee Coast regional, whereby the web will air a sustaining series of 13 half-hours built around the forthcoming Par release, 'Men With Wings.' Film covers the development of American aviation from the Wright Brothers' flight at Kitty Hawk to the modern Clipper service.

Mutual will supply the stations and an orch in Hollywood, Paramount the talent and a scripter, Robert Redd, to whip the air series into shape. Picture firm has also extended the web a list of its contract players who will be available for guesting on the air dramatizations. List includes Fred MacMurray, Shirley Ross, Porter Hall, Robert Cummings, Akim Tamiroff, Ray Milland, Mary Carlisle, Roscoe Karns, Betty Grable, Lloyd Nolan and Louise Campbell. William Wellman, director of the picture, is likewise available.

:r asks a joint statement of cooperati as a plug, plus, of course, the fact that film of same title and essence has been made. Film firm also promises to loose a national publicity campaign on the proposed sustainer through its press departments.

## *Redubbing Out*

(Continued from page 7)

Richard Bitgood, Bob Davis, Neal Hart, Ed Heim, Clayton Jones, Theodore Lorch, Frances Miles, Harry Strang, Florence Wix, Jesse Graves.

**Conservatives in Saddle**

About 2,500 votes were cast in comparison with poll of only 400 ballots last year. Election marks def i ite swing to conservative element i the Guild. Domination of dress extras was ended, with practically every group getting representatives on the council. New officers hold posts for one year.

Aubrey Blair will continue to serve as executive secretary of the Jr. SAG. Latter did not have to stand for reelection, as SAG board of directors has ruled that all employes will be hired at will and pleasure of board of directors. This also applies to Kenneth Thomson, SAG executive secretary.

Negotiations between producers and the actors on amendments to the present agreement got under way today. Robert Montgomery, president of the SAG, is directing the parleys for the Guild, while Edward J. Mannix, g.m. of Metro, tops the producer committee.

Most of negotiations will be based on improved working conditions for the actors, tops expressing the opinion that present time is not opportune to seek a wage tilt. Guild negotiators, however, will seek to change classification of certain brackets, which automatically would increase pay of many extras and bit players.

Guild will ask for stricter interpretation of clause pertaining to $5.' calls for miscellaneous players. Junior leaders claim studios are now making many calls in this bracket that should fall within $8.25 pay class. Guild contends studios cannot specify age, type, etc. in miscellaneous calls.

**No Guild Slap For Bette**

Effort still is being made to reach amicable agreement in controversy between Bette Davis and Warners. Screen Actors Guild declined to act on request of Warners that player be disciplined for refusing to accept lead role in 'Comet Over Broadway' unless studio and actress would accept Guild decision as final. Miss Davis claims role was not suited to her and that she had not been given sufficient rest since completing her last production, 'Jezebel.'

Members of Motion Picture Painters Local 644 are s l trying to persuade Herbert Sorrell to reconsider his resignation as busines sentative of the organization.

# P. O. DEPT'S BAN ON YAEGER-RICKETSON'S BANK NIGHT DISCLOSES ITS BIG YIELDS

## NO SMALLIES

**Agents No Like Being Called Second Stringers—Org Balked**

Hollywood, April 19.

Refusal of actor representatives to be typed as 'small agents' probably will wreck plans for an organization of those not affiliated with the Artists Managers Guild.

Claiming their clients were being rustled by the big agencies, the independents held two meetings to band together for protection but the maximum attendance was only 17.

Several of the stayed away from the second session rather than be classed as too small for AMG.

# The 3 Warners Cut Some of Their Stock Holdings; One U Deal

Washington, April 19.

The three Warner brothers sliced their personal holdings of their firm's securities during January and February, the semi-monthly Securities & Exchange Commission report disclosed Monday (18). In comparison with the amount they still own, unloading was distinctly minor in significance.

Belated reports showed the trio's Holding Company B dumped at least 699 shares of the $3.85 cumulative preferr slicing the amount in this portfoli to 4,267 shar . Each brother reported a drop of 233 shares in his interests via the company. Transaction occurr late in January.

Each of the triumvirs also scrubbed off $25,000 worth of the company's optional 6% convertible debentures. In February, Albert cut his poke to $1,759,000 worth; while in January Harry reduced his to $1,379,000 and Jack pruned his to $1,183,000. Besides their direct interests, each of the group has one-third stake in $5,460 worth of debentures held by Holding Company A.

Latest summary of their common investments shows Albert with 59,648 shares, Harry with 62,860, and Jack with 88,060. Each of the trio keeps in his own name 10,618 pieces of the preferred.

Disposition of 1 voting trust certificates of Universal Corp., which controls Universal studios and distributing organization, was the only other insider transaction reported this week. Daniel M. Sheaffer of Philadelphia said his interest had been cut to this extent, leaving him with 12,600 certificates in addition to 26,500 certificates and 111,283 warrants held by Standard Capital Co. in his behalf.

# REPUBLIC SALES MEET DRAWS 200 TO COAST

Hollywood, April 19.

Two hundred franchise holders, district and branch managers will attend Republic's national sales convention May 2-5. Stage 4 at the valley plant is bei readied for the meetings.

Herbert Yates, chairman of the board, arrives from New York this week to oversee preparations. James R. Grainger, new president of the company, will address the sales sessions, although he does not formally take office until June 1.

## Cagney's Next

Hollywood, April 19.

Warners have assigned David Lewis as producer on Jerome Odlum's prison story, 'Each Dawn I Die,' in which James Cagney will have the top role.

Picture will go into pr lowing Cagney's next; ' Dirty Faces.'

## SCOTT'S COL ORIG

Hollywood, April 19.

Columbia Pictures has added Ewing Scott to its writer roster to turn out an original screen play to be filmed by the Irving Briskin unit.

Yarn is still without a title.

## Owners of Copyrighted Gag Banked $769,528 1936, $596,005 in 1937—Still Average $2,000 a Week—But Farley Kayoes It as a Lottery

Washington, April 19.

Lethal blow was struck at the Bank Night idea Thursday (14) when Postmaster General Farley, after months of investigation, signed a fraud order denying Affiliated Enterprises, Inc., of Denver, promoter of the patronage-building idea, the right to use the mails.

ith disclosure that popularity of the giveaway scheme has declined in recent months, Solicitor Karl A. Crowley advised Farley that the stunt is a lot ry in violation of the postal statutes. Fraud order will prevent Charles U. Yaeger and Rick Ricketson, originators of the box-office lure, from receiving royalties, distributing literature, and negotiating their contracts via Federal faciliti .

The order—which will be fought in the courts, according to warnings given postal officials—was based on Crowley's lengthy analysis of a record embracing more than 1,000 pages of testimony and pounds of exhibits, mostly correspondence. Seventeen pos l inspectors presented evidence, following examination of Yaeger-Ricketson books and first-hand observation of the way the payoff is made.

Affiliated Enterprises, which holds the copyright on the raffle idea, was incorporated in Colorado, Nov. 16, 1933, as a means of circumventing the NRA code ban on giveaways and pre iums, Crowley pointed out. Yaeger and his wife own half of the 10,000 shares of no-par stock, with Ricketson and his wife accounting for the other 50%.

Demonstrating that the enterprise is subject to Federal jurisdiction, the lengthy opinion pointed out that many of the negotiations with exhibitors are handled through the mails; the Denver firm has 22 branches with which it keeps in postal contact; and much of the revenue is sent via mail. Pointed to promotion literature which is mailed out to prospective customers and, licensees and promoters' willingness to aid theatre-owners accused of violating local anti-gambling ordinances and statutes.

**1,200 Still Use It**

Although the fad has been waning, Bank Night is a profitable idea, Crowley reported. With subscribers paying weekly royalties ranging from $2.50 to $40, the income to the Denver people has been up in the six-figure category. Actual receipts to the copyright-holders exceeded $750,000 in 1936 and $600,000 in 1937. At the peak, there were about 5,000 licensees, but the number of subscribers skidded to 815 by last December. About 1,200 houses using the idea at latest count.

'The evidence shows beyond question that the whole plan of respondent is to rent its scheme, plan, or idea, to the local theatre operator and convince him that by trademarks, trade names, copyrights, 'patents pending,' and the law relating to 'unfair competition,' it actually owns the whole Bank Night idea and that the local theatre operator cannot conduct ank Night or anything similar to it under that name or any other name without the continued permission of Affiliated Enterprises Inc.'

Despite doubt about the validity of the claim to exclusive ownership of the idea, Yaeger and Ricketson cash rolled in steadily until recently, the summary shows. Crowley told his boss that, 'Regardless of the claimed exclusive ownership by respondent of the idea, plan or scheme known as Bank Night, which exclusive ownership, from a legal standpoint, appears to be very tenuous, if not entirely non-existent, the evidence shows that the respondent actually collected through the mails . . . fees in the year 1936 of $769,528, and during the year 1937 up to Nov. 30, $596,005, and that in December, 1937, it was averaging a net income of about $2,000 a week. These sums ar the deduction of distributors subdistributors' commissions, ich amount, in some instances, to as high as % of the rentals paid by the licensees.'

Mentioning the 'tribute' collected from theatre operators, the P. O. lawyer remarked that the promoters threaten theatre operators who use a similar scheme without obtaining a license with prosecution for infringement of copyright.

**lements**

Analysis of the lottery evidence led Crowley to the conclusion that 'the elements of lottery, prize and chance,' are involved in the stunt. Free registration—which was adopted to get around gambling laws in some areas —is merely 'the painless i itial step.'

Crowley said that 'the big cash prize is the 'bait' dangled before the eyes of the paying public, which is unaware of the fact that the theatre owner is more concerned with keeping the prize larger, to attract box office receipts than he is in awarding it to a winner.' Cited evidence that promoters advised exhibs they cannot afford to have fat purses drawn each week.

'There can be no doubt that Night is designed to create a bling spirit among the are induced to partici licitor declared.

Pointing out that no departmental ruling barring exhib ads from the mails has been challenged, Crowley discussd a host of court opinions in actions against theatre owners to substantiate is conclusion that the giveaway idea is illegal.

'In a simple lottery where tickets are sold to persons participating in a drawing for cash prizes, the prize money is a part of the aggregate sum derived from all ticket sales,' opinion wound up. 'In this scheme, the evidence shows that the week-to-week continuous operation of the plan is governed by the increased sales of tickets to the theatre on Bank Night. When the sales do not show a profit to the licensee on Bank Night over and above the ordinary box office receipts for that night, after the prize money has been deducted, the scheme is discontinued. While, under the plan, it is technically true that every participant in the drawing is not actually required to buy a ticket to the theatre, it is equally true that unless a sufficient number of the participants do buy tickets to crate a fund out of which the prize money may be paid, plus an added profit to the operator, the scheme is stopped.

'Thus we have a situation that is no different, in principle, from the straight lottery—a portion of the venturings of a large number of persons is distributed to a few lucky winners at the drawings. . . . I find from the evidence that a sufficient element of consideration is present in this scheme to constitute it a lottery under 39 USC 259 and 732 (postal statutes) despite the fact that the consideration is exacted from the participants by easy and paini stages.'

# RKO'S NET, $1,821,166; OTHER DIVIDENDS

Radio-Keith-Orpheum net pr for year ending Dec. 31 last totalled $1,821,166, after charges but before provi ing for accrued dividends on preferred, according to tentative esti is week. This compares with $2,485,911 for 1936.

Columbia Pictures declared the usual quarterly dividend of 68¾c. on the preferred stock last week, thereby maintaining annual rate of $2.75. Divvy is payable May 16 to stock on record May 2.

Trans-Lux Corp. directors ster-day (Tuesday) passed the usual 10c dividend, decision of board being that declaration of divvy should be deferred pending clarification of outlook. Payment would have been made ay 1.

Directors announced that earnings in current year are at a rate more than sufficient to maintain the regular dividend, and that a disbursement in keeping with actual earnings would be made if they continued at the pace set in first three months this ye

# Aden's Double-Bill Chicken Coop; Trials in Life of a Near-East Rep

airo, April 9.

In fossilized Aden, a tiny British finger in the Arabian pi , is one and only public picture house showing the product of Hollywood's glamour factories. It's a ramshackle wooden cage that looks like a chicken coop. Films are projected on a whitewashed wall and a loudspeaker hangs adjacent.

House is divvied into three sections, each grossing according to scale. One section, with 5c seats blindingly close to the 'screen,' turned out to be a financial bloomer, so the Big Boss reshuffled the house.

According to Louis Lober, etro chief in Egypt, who has just returned from a workout in that colononentity, the Big Boss sweated day and night over a scheme to pack more of Aden's 1,000 Europeans into the chicken coop. B. B. finally cut up the floor space simply into high and low-price seats, with the discomfort dished out evenly among everyone. Lober muttered something about 'exhibitor showmanship.'

**Aden's Four Deluxers**

Aden has four film houses in all. One is Indian, one Arabic, one for the R. A. F. and the fourth is the chicken coop. Current picts include 'Cuban Love Song' (M-G) and 'The Barretts of Wimpole Street' (M-G)—slightly dusty screen fare, but there was 1 % turnout of the Hollywood-hungry residents. During his pilgrimage around the shores of sweatland, Lober found ' utiny on the Bounty' (M-G) showing in one of the only two film houses in Jibuti, Somaliland.

Lober, the lone American representing a U. S. film company in these parts, is bewailing the fact that he didn't have a cameraman with him for the rest of the journey. From Jibuti to Sudan he had deck passage on a 700-ton cargo boat and turned out to be the only first-class passenger aboard. He says he had to brave Sudanese cockroaches (which are cannibalistic), the British skipper (who was a souse), Somalili spear-throwers (wild and very sinister) and several leopards (alive and al wild) to arrive at Khartoum.

Anyway, says Lober, life here certainly isn't uneventful. And he claims Metro films now predominate east, south, west and north of Suez.

## Hoyts Nix 'Snow White' On 60-40 Percentage

Sydney, April 2.

Understood that 'Snow White' (RKO) has been offered to Hoyts on 60-40 percentage basis, ith thumbs-down given to the proposlti Official connected with the chain declared that the days of such percentages were all washed up insofar as Austr ia was concerned, and that the pic could go mouldy in the vaults before such a deal would even be considered.

Predicted that the pic will be held until kiddies' vacation time and that by then some arrangement may be arrived at with the distrib unit covering release on suitable terms.

Same official stated that a loss had been taken with 'Victoria the Great' (RKO) and that plenty had been dropped with 'Sparkles' (GBD) and that British films, with the exception of 'Wings of the orning' (GBD), meant very little to the b.o. nowadays.

## 'Balalaika' Closes 23d

London, April 19.

'Balalaika' closes at the Adelphi April 23, after a run of 16 months in the West End, and starts a 40 weeks tour, visiting most of the seaside resorts on two-weeks stands, after playing a fortnight at Golder's Green and the Streatham theatres. In more important towns, such as Edinburgh, it plays six weeks, Manchester, four weeks, lasgow, four weeks, and Brighton, three weeks.

Show will be same cast as London, and will be presented by Tom Arnold once nightly.

## British Nat'l Theatre Plans Ready in June

London, April 11.

Sir Edward Lutyens and Cecil Masey (associate architect of the Phoenix theatre) have been selected to design the long promised National theatre, plans for which will be ready in June.

House will be built in South Kensington and will seat about 1,200. Various towns are likely to endow seats to commemorate names of famous thespians born in their areas. Foundation stone will be laid some time in 1939.

# NO ITALO-ENG. PICTURE 'AXIS'

New treaty between Italy and England, okayed last week, is not viewed with apprehension by American distributing companies which might suffer if bars were let down for free interchange of films by the two nations.

Pact is a political alliance, in the opinion of foreign department executives in New York. As such, it would have to be elaborated upon through special trade deals before a more liberal attitude toward screen product is assumed by the two countries.

England now has a 15% quota law against foreign distributors, including Italy, while the Italian government ruling is that all foreign imports must be dubbed into the native language of Italy. Change in this regulation to permit British-made films in with superimposed Italian language titles naturally would boost business for England.

However, even in the event of special treaty pacts, U. S. companies figure the strength of their product as enabling them to hold their own.

# 'WILD OATS,' LONDON MUSICAL, CLICKS

London, April 19.

'Wild Oats' came into the Prince's theatre last Wednesday (13) as a familiar type musical with popular local stars. Offering was enthusiastically received. Firth Shepard produced, with book by Douglas Furber, based on Shepard's story. Noel Gay wrote the music.

Tried at Opera House, Manchester, with Josephine Houston, American, in lead. Features new comedy team of Sydney Howard, Arthur Riscoe and Vera Pearce. Herbet Bryan directed. Jack Donahue handled the choreography.

'Good and Proper,' light comedy by Victor Savory, was nicely received at the Embassy theatre last night ( onday). Andre van Gyseghem directed.

# PALESTINE BIZ SOUR; TOO SCARED TO GO OUT

Jerusalem, April 9.

Weekend murders, which totaled 14, have socked film biz again. People are just too scared to go out after dark. Government, to oblige despairing boxofficers, won't impose a curfew, but the temptation to dodge bullets just to see a pic isn't great enough. So everybody curls up around the radio dial and bars his windows.

Films in Jerusalem include 'Ich hab mein Herz in Budapes verloren' at the Zion Hall; 'It's Love I'm After' (WB) at the Edison; 'Love on the Run' (MG) at the Eden Hall.

Picts in Tel Aviv include 'Perfect Specimen' (WB) and 'King Solomon's Mines' (G-B) at the Eden; 'Kreutzer Sonata' (foreign) and 'Road Back' (U) at the Mograbi; 'Zauber der Boheme' (German) and 'Millionaires' (indie) at the Migdalor; 'The Big City' (MG) and 'Jungle Princess' at the Ophir; 'Rose Marie' (MG) at the Shderoth; 'Smilin' Through' (MG) and 'No Reply from F. P. 1' (indie) at the Rimon.

Films in Haifa include 'Seventh Heaven' (20th) at the Armon; 'Border Brigands' (U) and 'Spanish Cape Mystery' at the En-Dor; 'Day at the Races' (MG) at the Orah.

# U. S. Acts Can Now Doubie In Tivoli, G.U.T. Chains, Aussie; Equal Coin Here

American acts now playing the two-a-day time for the Tivoli Theatres chain in Australia can double into the opposish Greater Union Theatres' house and make extra coin.

Tivoli, which is credited with playing bigger and better bills, o.k.'s acts going over to G.U.T. after playing for a few weeks at any of the chain's spots in Sydney and Melbourne. Stipulations are that the turns must have established themselves at the Tivoli house they happen to be working, and must do the performance at the Tivoli site before working a later shift at the G.U. house.

Angle is that the turns may approximate the money they receive in the U. S. by thus doubling. And for the turns it is even less work than in America, since there are no Sunday shows and no added performances on Saturdays and holidays.

Acts in Aussie generally get about 75% of salaries prevalent in the U.S. Their passages are paid from and back to Los Angeles (about $500 per head) and the minimum guaranteed playing time offered by Tivoli is 10 weeks.

## Not Much of a Market For Scripts in Australia

Sydney, March 28.

Small stations in the hinterlands still lean almost completely on wax for their entertainment with the result that there is little money to be got of them for scripts. Average payment for the script of a show running 15 minutes is $2.50, and as a rule it's no buy if the cast calls for more than three players, which must be recruited from local talent.

Sydney agency had a vault full of American scripts but shipped them all back because of the skimpy money offered by the stations.

# Hoyts Dicker for Cap, Melbourne, In Release Deal for Par Product

By ERIC GORRICK

Melbourne, April 2.

Deal is on for Hoyts to take over control of Paramount's Capitol and fix a deal whereby Paramount would be insured entree into the circuit's ace Melbourne theatres, including the Regent, Plaza and DeLuxe. Par has used the Capitol as its Melbourne show window for a number of years, but the deal for pictures into the three other big Hoyts houses here and possibility of additional tie-ups in other Aussie states is figured as a healthy recompense for losing control.

Huddles have been in progress between officials of Hoyts and Harry Hunter, Paramount's Australia boss, for some time. Understood that subsequently Hunter has been keeping John W. Hicks, Jr., Par's foreign sales chief, informed while the latter has been in South America and on the way to Europe. Deal is not completed, as far as can be learned.

Impression here is that Paramount would not be adverse to letting the Capitol slip out of its hands if a picture contract is obtained from Hoyts. Policy at the theatre has been only so-so. Only a few weeks ago Bert Howell, who ran the musical end, resigned and took his band to the State, which is under Gr ter Union Theatre management. im Thornley, general manager of house for years, also recently tossed in his resignation.

Hoyts angle is that control of the Capitol would strengthen its theatre position here against G.U.T., which puts a new policy in its ace theatre, the State, April 1, with vaudeville acts, bands and long-run duals. First pit band will be headed by Bert Howell.

Setup was important enough to cause Charles unro, Hoyts chief, to spend considerable time here.

## Par's Coliseum, Barcelona, Virtually Wrecked in War

Coliseum theatre, Paramount's house in Barcelona, Spain, was so badly damaged by bombs dropped in air raids in the past month that the structure probably will have to be demolished and rebuilt. This is the word received at N. Y. home office of Par from Fred Lange, Paramount chief of operations for Europe.

Last bombing was done in the daytime, theatre being an easy target for rebel army planes. It was just across the street from the big city square where many lost their lives.

# JAP PIC DEAL THOUGHT NEAR

, April 3.

Sessions between members of the American Motion Picture Assn. here and Jisaji Kubo, Japanese attorney, semi-officially representing the government, in a deal to permit presently impounded monies leave Japan, are still in progress but look more favorable. Distributors apparently are satisfied that Kubo's proposition is their last hope, because the government has turned a deaf ear to recent proposals on future business.

One single factor which may force U. S. distribs into accepting the Kubo arrangement for getting cash out of Japan is that the Home Office now is advocating a law which will place the entire picture industry of this country under government regulation. If this occurs, it seems certain that foreign pictures will come under its provisions. This would make conditions even worse than at present.

Looks like action with Kubo and some relief to get outside features coming into Japan must come shortly or the foreign picture business will be seriously crippled. Approaching summer season makes new product essential, and it will have to come from outside.

**Ban Status Quo**

New decree extending the Japanese ban on foreign pictures, skedded to have been promulgated this week, for some reason failed to materialize. Whether this was a slip-up in the Finance Ministry or intentional is not known. Stated by the Finance Ministry that no information was available. Previous decree expired at midnight March 31.

A. E. Daff, Universal manager here and currently chairman of the AMPA, indicated that the proposal isn't making much progress. He also stated that it would probably be some time before the matter is in shape to submit to the home offices. Bill Piper, Par's manager here, also indicated a rather pessimistic attitude toward plan's success. J. E. Perkins, Far East sales boss, also is assisting huddles here on the plan.

'One Hundred Men' (U) is on its way to breaking all known records for a foreign flicker in Japan. Already the pic has played to around 1,000,000 customers and grossed in excess of $150,000, a hefty take in Jap money. Previous record holders have been 'All Quiet' (U), 'Morocco' (Par), 'Tarzan' M-G) and several Chaplin films.

'One Hundred Men' started its phenomenal run Dec. 27 at Hibiya Gekijo and played three weeks as a roadshow. Persistent demand brought it back into Toho's ace spot, Nippon Gekijo, where it has been breaking records for the last three weeks. Yesterday (1) it went back to Hibiya Gekijo for another 10 days, teamed with 'Three Smart Girls' (U). Opening saw double queues again.

Shochiku's Imperial, with 'Peace In the East' (former title 'The Path to Oriental Peace') (Towa Shoji), couldn't stand the pace set by the Durbin pic nearby, with the result that the week will likely absorb plenty of red ink. Nippon Gekijo opened to nice biz with 'Slave Ship' (20th) and 'Roppa no Garamasadon' (Toho Eiga). Yokohama Takarazuka shows promise of plenty with same bill while Odeonza of Yokohama will have to scratch to break even with 'Peace In the East' and 'Pick a Star' (M-G).

# Distrib Report Asks Upped Admish, Shorter Programs As Prod. Hypo

London, April 11.

Despite exhibitor squawks of the uneconomic level of film rentals, 'istributors in Great Britain appear still unsatisfied they are getting the maximu return from the boxoffice. Annual report of the Kinematograph Renters' Society, representing leading American and British distri s, broadly hints that not sufficient is going back to production and makes a case for upping general admissions as a means of relieving present tension.

iled by Secretary Frank Hill, the report has as highlights references to basic rental problems and to exhib agitation against overlong programs. As regards the former, it contends the key to that situation may be found in studying the proportion of the b.o. take which goes back to the producer and how quickly it can be got back to hi

Industry would suffer if receipts diminished and producers were unable to offer pictures of the type the public has been educated to ex ct and desire, says Hill, and this danger can only be stalled off by vigorous reorganization from a production point of view. Adjustment of di tribution costs might even be necessary if all were to contribute toward the general good.

**Lengthy Programs**

Same creed may be seen where the report refers to overlong programs, when it is admitted the situation, which the Cinematograph Exhibitors' Assn. has long agitated, needs tackling without delay. As an alternat , raising of admission scales is suggested, as 'the public, which has been fed upon the maximum entertainment with a cheap seat, cannot expect continuance of these conditions. If persisted , they must result in some repercussion in the producing and distributing sides of the industry, which i turn will affect the exhibitors.'

Report skates glibly over the su ject of the Quota with the aphorism that it is well nigh impossible to legislate for 'that elusive thing called entertainment'—or to control production of pictures, the best results from which arise from the imaginative creative mind allied to strong, able finance. Refers platitudinously to the breakdown of the negotiations with C.E.A., adding a few pious hopes, and unctuously speaks of the work of the Society's inspection department in protection of members' interests.

In 1937, it is recorded, K.R.S. noted 613 changes of theatre ownership, including Maxwell's deal for the Union circuit. Fifty-eight theatres closed down, temporarily or permanently. One hundred and two cases of fraud by exhibs or employees came under the notice of the Society.

## G.B.S. to Ether

London, April 12.

George Bernard Shaw will make one of his rare appearances at the mike April , when he will speak a special prolog to his play, 'The Dark Lady of the Sonnets.'

riginal preface, written in 1910, referred to a project for a National theatre, and, with such a scheme at last in process of materialization, a revised introduction has been written by G.B.S., which he will s ak himself.

# Current London Plays

*(With Dates*

'Whiteoaks'—April 14.
'French Without Tear
'Balalaika'—Dec. 22.
'George and Margaret'—Feb.
'Black Limelight'—April 22.
'Housemaster'—June 29.
'St. Moritz'—July 31.
'London Rhapsody'—Sept. 1.
'Going Greek'—Sept. 16.
'Hide and Seek'—Oct. 14.
'Robert's Wife'—Nov. 23.
'I Killed the Count'—Dec. 10.
'Me and My Girls'—Dec. 16.
'Nine Sharp'—Jan. 26.
'The Three Sisters'—Jan.
'The Island'—Feb. 10.
'Road to Gandahar'—March 24.
'Death on the Table'—March 9.
'Plan for a Hostess'—March 10.
'Operette'—March 16.
'Toss of a Coin'—March 17.
'Idiot's Delight'—March 22.
'Floodtide'—March 23.
'Zeal of Thy House'—March 29.
'Ghost for Sale'—April 8.
'Power and Glory'—April 8.
'Wild Oats'—April 13.
'Good and Proper,'—April 18.

# H'WOOD QUOTA PLANS IN AIR

## Budapest Jittery at Nazi Threat; Film Prod. at Virtual Standstill

Budapest, April 11.

Three weeks of Hitler's regime in Austria have not sufficed to clear the situation in Hungarian show business. European atmosphere of political uncertainty, and proximity of Hitler, have strengthened activities of local National-Socialists.

Long-pending legislative measures to restrict Jewish supremacy in certain fields are expected to come to a head shortly. Even liberal politicians clamor for prompt legal regulation of the Jewish problem, since rumor and conjecture cause a ruinous atmosphere of apprehension.

This makes itself felt primarily in motion picture plans. German producers are expected to turn their attention increasingly toward Budapest, where production is cheap and conditions are favorable. But local producers are holding back for the moment, not knowing what restrictions and handicaps may be in store for them. Several previously-skedded productions have been cancelled.

Save for 'Black Diamonds,' adaptation of a Jokai novel, a Hirsch and Tsuk production, no other big feature is now under way. 1937's overproduction of 43 Hungarian features had dwindled to a schedule of 35 in the current year. This was a healthy natural decrease, as last year's produce was a drag in the market supplying a nation of only 8,  ),000. Now, however, it seems doubtful whether the stipulated number will be reached.

Phoebus, uveszfilm, Globus, Ufa, Kino, Patria, Eco and Rex, all companies which made two or more pictures during the past year, have not yet started doing anything in 1938. Budapest Films, however, is sticking to its production schedule of six featur in the curent year. Studio is likely to reap the benefit of the other companies' nervousness, which is robably exaggerated. Demand for ungarian pictures is very real and waiting to be supplied.

Theatres have been bolstered during the last week by the influx of provincials on the occasion of annual Agricultural Show. For the rest of the time they participate in the general European slump. It is difficult to judge at the moment of what further results the political upheaval in central Europe may have upon  ow business in Hungary.

## HAVANA-MADE TALKER WITH LOCAL BANKROLL

Havana, April 19.

'Sucedio en la Habanà" ('It Happened in Havana') is the title of the talker now being made here for the Latin American market. Ramon Peon, Cuban director who chalked several Mêxican pics, is handling the production, and Luana Alcaniz and Juan Torena top the cast. Among the local talent are Rita Montaner and the comedy team of Federico Pinero and Alberto Garrido.

Money syndicate is headed by Dr. Oscar Zayas, editor and publisher of Avance, local afternooner.

Spanish pictures are going to town here with three large de luxers edicated exclusively to first showings. Teatro Nacional, Teatro Payret and Verdun have contracts for showing of Mexican, Argentine  nd panish pictures.

The Mexicans have the edge and are showing almost one weekly. Even the French pictures with Spanish titles are also getting attention and cutting down the profits of the American films that up to a year ago cornered the market.

## H. B. Warner's Brit. Bid

Hollywood, April 19.

erbert  ilcox, British producer, is negotiating with H. B. Warner on a two-picture deal to get under way in the late spring.

Warner is wanted for a spit in the sequel to 'Victoria, the Great,' in which he played with Anna Neagle, and for the forthcoming 'Lady Hamilton.'

## U. S. Pix in Holland Spotty

The Hague, April 11.

'Zola' (WB) is still doing good business all over the country, with 'Conquest' (M-G) good second in the key cities, as is '100 Men and a Girl' (U), already in its third week at Tuschinski, Amsterdam, which is unusual. 'Road Back' (U) is doing fair and is getting very good press notices.

Remarkable is the absolute flop of 'Hurricane' (UA). Picture did a poor week at the City, Amsterdam, and a poorer six days at the City here. Press-reviews are hurting this one. 'Stage Door' (RKO) has too much talk for Holland (audiences are reading the titles and have not ti  to see what's happening). 'Buccaneer' (Par) disappointed bitterly.

## Snappy Easter Weather Hypos All London Pix

London, April 19.

Sudden cold snap over the Easter holidays had a marked effect on Westend show business with everybody doing capacity. Film trade was particularly good with five tremendous hits: 'Yank at Oxford,' 'Jezebel,' 'Snow White,' 'The Drum' and 'Damsel in Distress.'

Suburban cinema business is affected in spots by the strike picketing.

## JAPS PLAN PIC PROD. FOR FOREIGN MARKETS

Tokyo, April 2.

With the future of foreign pictures an uncertainty here, Jap producers are hopeful of filling the gap, if such occurs, through the production of Jap subjects with a foreign flavor. Half a dozen such films are already in work and more are in the offing. Secret yen of the producers is that they will prove good enough to export, thereby bringing back the extra coin which it takes to cover upped costs.

Nikkatsu has already released its entry in the foreign mart derby and is ho ful of snaring a taker for America. Titled 'Hangan no Harakiri,' the subject is actually just another version of 'Chushingura,' made several years ago by Shinko and sent to America at that ti

Towa Shoji's 'Peace In the East' (former title, 'The Path of Oriental Peace'), has also been announced as intended for export. Toho Eiga, the producing organization for the Toho chain, has started production on 'La Symphonie Pastorale,' from Andre Gide's novel of the same name.

Shochi u also hopes to go places as the result of a ticup just made with the Italian goodwill  issi  now visiting here, whereby Japan  nd Italy will exchange film talent.

## Gotta Be McCoy

Vienna, April 11.

nly legitimate applause will hereafter resound throughout local auditoriums, according to an edict issued by Erwin Kerber, director of the State Opera, and Karl  issuti, representing the National Socialist Management Organization.

Announcement tersely stated no more 'paid gallery applause for our artists.' Strict orders have been given to ushers to throw out an 'suspect in the pay of a singer.'

## NO BIG BUDGETS; MAY ACQUIRE PIX

### Majors  usy Huddling on roduction in England—Metro Undecided, WB Ditto—Par, 20th-Fox Will Probably Buy Required Films

### 3-FOR-1 FACTOR

ile most major companies still are undecided about how much they will spend for production in England to fulfill quota obligations in first year of the new law's operation, several are expected to round out requirements for $800,000 to $1,000,000. Many of the larger companies will secure quota credits with two featur  costing $225,000 each or thereabouts or one feature costing upwards of  75,000.

To the three or more distributors having to obtain eight quota credit features, two features costing $375,000 to $750,000 are held entirely likely. This probably would apply to Metro, Paramount, Warner Bros. and 20th-Fox.

Even if these features produced on English soil run overboard on the minimum r uirement  $375,000 (necessary for credit under the three-for-one clause), it is doubtful if the most elaborate lineup of quota pictures in the first year will exceed $2,000,000. Doubtful, too, if more than one company will reach that total. It is simply not in the cards for the American producers to lay out more coin.

Metro has made no official estimate as to what will be spent in production to meet the British quota. Ben Goetz remai  in charge of the Metro studios near London, with Michael Balcon listed as producer. Recommendations of the two doubtless will be considered by producers on the Coast before a budget is lined up.

Robert Ritchie, talent executive, and a director i  etro's British subsid, is currently in New York and probably will figure in huddles in this country over proposed Great Britain producing plans. He is credited with spotting many recent foreign stars signatured by Metro in the last 15 months.

Paramount probably will know more about its quota plans after John W. Hicks, Jr., confers in London this month. Understo  that it will not try production on its own the first year of the quota, but will fill requirements by purchases of British-made features.

Same is true of 20th-Fox. S. R. Kent and Walter J. Hutchinson are on the way to Paris and London sales confabs. Decision on quota film expenditures and the entire setup will be better known after their parleys with company reps in England.

Warner Br . doubtlessly will have a more definite idea on quota producing costs following the forthcoming Coast huddle with its foreign department chief.

## Embassy Club, London, Purchased for $25,000

London, April 12.

Poulsen, Aaronson & Stocco have taken over the Embassy Club. It was owned by Albert de Courville in 1920, when Martinus Poulsen, one of the present owners, was head waiter. Aaronson was at one time a saxophone player at the club. Later it passed into the hands of Luigi for a sum said to be $30,000, and two years later he sold it for $200,000. After having been turned into a public corporation, it earned over $500,000 in one year.

Latest sale price  be $25,000.

## Hoyts-Snider-Dean Crash Tasmania; Await G. U. Moves, Product Angles

Hobart, Tasmani , April 2.

Charl  Munro, head man at Hoyts, at last has crashed into Tasmani  as a result of product concessions to Greater Union Theatr  and the latter's theatre leasing deal. Papers were signatured last week. Now the trade is awaiting the next move of Norman B. Rydge to equalize the situation for G.U.T.

Pact i  Tasmania stipulates that Hoyts and Snider-Dean, via its National Theatres, will take over the Prince of Wales theatre, Hobart, and the Princess, at Launceston, from G.U.T. In return, Hoyts gives G.U.T. product from RKO and Columbia. This gives Greater Union three theatres instead of five. Hoyts drops the plan to run the City Halls at Hobart and Launceston.

Inside talk is that G.U.T. acquiesced to the rival Hoyts-Snider-Dean combination because its seemed the best way to keep in check such a strong competitor.

Need that G.U.T. has for additional product also doubtlessly figured in the transacti  This theatre circuit is credited with believing it was better to have pictures from the major companies (RKO, Columbia), even if two houses were turned over to the opposition, than to try to buck Hoyts' strong array of features with its five theatres playing doubtful product much of the ti

## English Arty Chain

London, April 11.

Elsie Cohen, formerly in charge of the Academy theatre, Oxford street, has bought the ritzy Berkeley theatre as nucleus of Great Britain's first chain of artics. Plans are for houses in key cities throughout the sticks to run purely on Continental and normally uncommercial pictures. Half a dozen West End houses are kept going with European product, and a certain demand has always been noted from big provincial centers for entertainment outside normal run of Hollywood or  ritish pr  uction.

Until now this demand has been met only by creation of local film societies, running spasmodic Sunday shows.

## Operator Strike Fails to Close London Theatres

London, April 19.

Strike of Electrical Trades Union bringing out cinema projection operators last Thursday (14) had no effect on cinemas as the strikers were immediately replaced by members of rival union, National Assn. of Theatre and Kinema Employees. It was obviously a struggle for supremacy between competing unions, with the exhibs recognizing the latter organization as the suitable negotiating body for employees and with whom the exhibs have operated a joint conciliation board for the past three years.

Exhibs are even now prepared to meet strikers only through their joint board.  lectrical Trades Union refused to allow their members to start work at the Gainsborough studios, Islington yesterday ( onday), holding up filmization of 'Lost Lady.'

Electrical Trades Union has received an offer from the British Union of Fascists, stating its readiness to assist in the fight with 'Jewish bosses.' Jewish exhibs are actually in a small minority.

## Holland Imported 499 Features Last Year

The Hague, April 11.

Official figures of the National Board of Censors in Holland show a decrease in film imports during 1937. Holland im  rted 499 features during the year (528 in 1936) and 1,659 shorts (1,7  in 1936). Features came from: America, 312; Germany, 75; England, 31; France, 45; Austria, 11, and other countries, 14. Dutch production represented 11 features. Compared with 1936 the number of American pictures increased from 290 to 312, but all other countries fell down.

Board ordered 204 cuts in 116 features and banned 25 pictures, from which 10 were recensored and admitted and 15 definitively banned. From those 15 eight were American, three English, one Austrian and three French.

### VIDOR BROS. IN U. S.

Zoli  idor and his brother Laci, Hungarian film technicians, have arrived in New York for a short visit to line up American release for their new Hungarian filmusical, 'Roxy and Her Wonder Team' with Oscar Denes and Rosi Barsony. Picture is based upon the noted Vienna football team of that n

Brothers have been associated with the Cines-Roma Studios, Tobis-Sascha, and the Hunnea Studios in Budapest.

## SNIDER WINDING UP U. S. PIC, LEGIT DEALS

Leon S. (Sam) Snider, of the Snider-Dean circuit and National Theatres in Australia, expects to wind up his conferences with home office officials of major film companies this week preparatory to shoving off for England next Wednesday (27). Snider, who is in the U. S. as goodwill ambassador for Aussie exhibitors and to arrange film deals and book stage shows for his theatres, has huddled with every big company excepting Paramount in the last three weeks.

First confab with Par's foreign division officials probably will be held tomorrow (Thursday). Considerable interest attaches to this because of prospective pr  uct deals and theatre re-alignments recently reported in progre  in Australia and New Zealand.

Snider also plans to talk to John W. Hicks, Jr., Paramount's foreign department head, now in Europe, when he reaches London. In the past week Snider is understood to have gone over several tentative pacts for stage shows which he will book for his extensive string of houses.

After his visit to England, Snider plans to return to New York for further conferences befor  headi  home.

## Hawkshawing Films

London, April 12.

Latest addition to detective service operated by Kinematograph Renters' Society will be a fingerprint bureau. Part of the inspection department's job is supervision of junking and tracking down illicit trading in obsolete celluloid and stills, and a Bertillon expert has offered to cooperate in this respect.

K.R.S. sleuths are mainly concerned with checking on frauds by exhibs and staffs, and roll is constantly being augmented, so that twice as many inspections were carried out in 1937 as three years previously. In last 12 months, the gu  shoes covered 465,000 miles of territory in Great Britain, even using the airways to reach remoter spots.

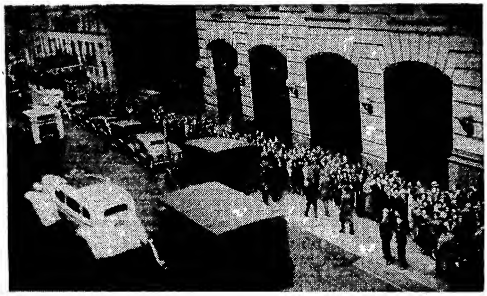
K.R.S. clai  the service saved many thousan s of pounds for distribs last year, and also contends exhibs have  en glad to use the detectives for tracking down staff defaults.

# BLOCK SOCK!

## 9800 PEOPLE FROM 9 A.M. TO 1 P.M. IN A 3600-SEAT HOUSE!

**8TH AVE., 44TH ST.,** a good sixth-mile from entrance of New York Paramount the line forms for Monday show (5th day) of **"HER JUNGLE LOVE."**

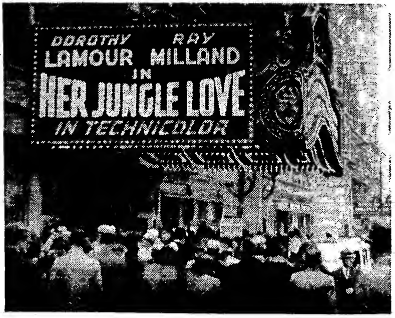
**8TH AVE., 43RD ST.** Cops make traffic lanes through crowds waiting for **"HER JUNGLE LOVE"** at New York Paramount, a whole block away. Ever see a shot like this?



**43RD ST.** Only half a block more to wait before they mob lobby and wait another half hour to get their look-see at the first jungle picture ever screened in Technicolor...

**GETTING CLOSER.** It won't be long now before these boys and girls can do their waiting on Broadway. Pessimists. Blues singers. Recessionists. They can all learn a lesson here.

**BROADWAY AND THE NEW YORK PARAMOUNT.** Looks like election night. Boy, if the Paramount only had rubber walls. When New York has a yen to see **DOROTHY LAMOUR** and **RAY MILLAND** go to town beneath those jungle stars. Wow! Keep moving there!!!



**HERE'S THE ANSWER! Hang this up in front of your theatre and then call the police traffic squad. Paramount's got the crowd-getter of the year!**

## TEST PILOT

Metro-Goldwyn-Mayer release of Louis D. Lighton production. Stars Clark Gable, Myrna Loy, Spencer Tracy; features Lionel Barrymore. Directed by Victor Fleming. Original story by Frank Wead; screenplay by Victor Lawrence and Waldemar Young; cameraman, Ray June; editor, Tom Held; musical director, Franz Waxman; art, Cedric Gibbons; montage effects, Slavko Vorkapich. At Capitol, N. Y., week April 15, '38. Running time, 120 mins.

| | |
|---|---|
| Jim | Clark Gable |
| Ann | Myrna Loy |
| Gunner | Spencer Tracy |
| Drake | Lionel Barrymore |
| General Ross | Samuel S. Hinds |
| Landlady | Marjorie Main |
| Joe | Ted Pearson |
| Mrs. Ben | Gloria Holden |
| Benson | Louis Jean Heydt |
| Sarah | Virginia Grey |
| Mable | Priscilla Lawson |
| Mrs. Barton | Claudia Coleman |
| Mr. Barton | Arthur Aylesworth |

'Test Pilot' is surefire box office. It's an actioner against a new approach to the aviation theme, fortified by a strong romance. These elements, plus the marquee appeal of Gable, Loy, Tracy and Barrymore, combine into a b.o. potential of above-average calibre.

It runs two hours and could have been cut 10-15 minutes without spoiling, yet some of the detail is sufficiently interesting, so that it becomes at worst a minor shortcoming. The only other major note for captiousness lies in the relatively minor assignment to Spencer Tracy who, riding a strong crest at the moment, will inevitably be highlighted in audience comment because of this factor.

Tracy is Gable's ground aid—the Gunner. Gable as a crack but arrogant pilot is forced down on a Kansas farm, where Myrna Loy is introduced as a romance interest. Ensuing action, backgrounded by ultra-modern aviation tests and experiments, plus a military note attendant to the U. S. aviation service, vividly portrays the strong Loy-Gable romance. Her disposition to understand the peculiar ways of the men with wings, and the pilot's appreciation of this understanding, which ultimately converts him into a ground instructor to army flyers—plus the inevitable home-and-baby touch—have been artfully limned by director Victor Fleming.

Megger has deftly skirted the shoals of banality, and the one or two lapses into the off-the-cob cliches, are pardonable and almost unnoticed. One of them is Tracy's hitting the bottle in that boardwalk wheelchair scene, but that comes under cinematic license and is really eclipsed by the major romance interest.

Three stars are capital in their assignments, particularly Gable, because it's a tailor-made role. Miss Loy more than satisfactorily sustains her end. Tracy's brushoff has been previously noted. Lionel Barrymore, featured, is competent, per usual, as are Samuel S. Hinds, Marjorie Main, Louis Jean Heydt and Gloria Holden in the only other assignments of any importance.

Story bespeaks authority in detail, obviously explained by the fact that Capt. Frank Wead, who authored the original, has had practical aviation background. Vincent Lawrence and Waldemar Young's screenscript is not only expert cinematurgy as a celluloid dramatic motivation, but their dialog is oft brilliant. Louis D. Lighton's production investiture is ultra. Among the technical credits, Slavko Vorkapich's montage effects are extraordinary in their realism.

Because of the hazardous keynote of the basic story structure, Metro has justifiably seen fit to preface the yarn with a double explanation; one, that this aspect of experimental aviation has naught to do with the present-day safety of passenger aviation, and, two, while the U. S. A. cooperated on the flight stuff, the nature of military maneuvers perforce necessitates much actual secrecy in aeronautical test flights.

While the military sequences are casual, 'Test Pilot' gives the American air armada a nice buildup as an imposing array of highly efficient war birds. *Abel.*

## WIDE OPEN FACES

Columbia release of David L. Loew production. Stars Joe E. Brown. Features Lyda Roberti, Alison Skipworth, Jane Wyman. Directed by Kurt Neumann. Screenplay by Earle Snell, Clarence Marks, Joe Bigelow, based on original by Richard Flournoy; additional dialog, Pat C. Flick. Camera, Paul C. Vogel; editor, Jack Ogilvie; musical director, Dr. Hugo Riesenfeld. At Rialto, N. Y., week April 14, '38. Running time, 67 mins.

| | |
|---|---|
| Wilbur Meeks | Joe E. Brown |
| Betty Martin | Jane Wyman |
| Annie | Alison Skipworth |
| Kitty | Lyda Roberti |
| Tony | Alan Baxter |
| P. T. 'Doc' Williams | Lucien Littlefield |
| Sheriff | Sidney Toler |
| Mr. Crawford | Berton Churchill |
| Belle | Barbara Pepper |
| Stretch | Joseph Downing |
| Duke | Stanley Fields |
| Mr. Schultz | Horace Murphy |

Routine writing, directing and acting marks this rowdy B comedy which is strictly for dual bills. Film is rather on the corny side.

In search of missing loot every public enemy in gangland moves into a wayside inn operated by Jane Wyman and her aunt, Alison Skipworth. The bad men are all outwitted by the poor but honest Joe E. Brown, portraying a not overbright soda jerker. For his efforts he winds up with the reward for the capture of the public enemies and, of course, the girl, Jane Wyman.

While Brown's efforts at comedy will undoubtedly please those who like Brown's efforts at comedy, they are as routine as the film itself. Kurt Neumann's direction moves everything along at a speedy pace. There is plenty of action jammed into the weak farce. Film winds up with 90 mile per hour chase involving about a dozen cars, all but one of which is wrecked when Brown tosses tear gas bombs into the windows. The last, also wrecked, is forced into the river, and the stolen money, 100G's recovered.

Both (the late) Lyda Roberti and Barbara Pepper portray the popular conception of gangster's molls. Alan Baxter and Joseph Downing are routine badmen. Alison Skipworth provokes a few laughs with her caustic remarks about Brown.

## STATE POLICE

Universal release of Trem Carr production. Features John King, William Lundigan, David Oliver, Larry Blake, Constance Moore. Directed by John Rawlins. Story and screenplay by George Waggner. At Central, N. Y., dual, week April 15, '38. Running time, 61 mins.

| | |
|---|---|
| Sergeant Don Prescott | John King |
| Private Smith | William Lundigan |
| Helen Evans | Constance Moore |
| Trigger Magee | Larry Blake |
| Charlie | Farrell MacDonald |
| Corporal Duffy | David Oliver |
| Evans | Ted Osborn |
| Colonel Clark | Pierre Watkin |
| Hughes | Guy Usher |
| Captain Halstead | Charles Wilson |
| Constable Higgins | Eddy Waller |
| Palmer | Sam Flint |

Latest contribution to racketeering school of screen dramas brings to light three people who should go places given half a chance. They are David Oliver, ex-newsreel cameraman for Universal who was signed after two comedy bits in the newsreel; Larry Blake, an intense gangster type, and William Lundigan, radio announcer from Syracuse, N. Y., grabbed by U's eastern talent scouts about nine months ago. All three surmount story implausibilities and shabby opportunities. Picture will do secondary dual spots where they crave action.

Trouble is the story, a jumpy sequence of events when simplicity and direct concentration on the central characters was essential. Glaring illustration is the crash of a speeding auto into a lake, with one man handcuffed and the other wounded. The escaping gunman is shot down and left to drown, but both escape to figure in the later fireworks. It's too much even for western fans.

'State Police' begins as sort of a glorification of that branch of the gendarmerie, but soon develops into a typical gangster story. There is an attempt to show that the miners in a coal town are fighting a racket, but it all simmers down to gangster terrorism, with the smooth chief, country cabaret, and other trimmings. Fable builds suspense and swift action when given a break.

Besides the men, Constance Moore photographs well, but hasn't enough in the picture to indicate future probabilities. J. Farrell MacDonald is smothered in a minor character. Support is topped by Ted Osborn, Guy Usher and Eddy Waller. *Wear.*

## HEART OF ARIZONA

Paramount release of Harry Sherman production. Features William Boyd. Directed by Lesley Selander. Screenplay and dialog by Norman Houston; from an original by Clarence E. Mulford in group of Hopalong Cassidy stories; camera, Russell Harlan. At Central, N. Y., dual, week April 15, '38. Running time, 68 mins.

| | |
|---|---|
| Hopalong Cassidy | William Boyd |
| Windy | George Hayes |
| Lucky | Russell Hayden |
| Buck Peters | John Elliott |
| Artie | Billy King |
| Belle Starr | Natalie Moorhead |
| Jacqueline Starr | Dorothy Short |
| Dan Ringo | Alden Chase |
| Sheriff Hawley | John Beach |
| Trimmer Winkler | Lane Chandler |
| 'Twister' | Leo MacMahon |

'Heart of Arizona' contains more rugged action and gunplay than most recent Hopalong Cassidy yarns. Otherwise it follows the usual pattern—the cattle rustlers wronging an innocent person and Bill Boyd coming to the rescue. Plot kills off the attractive femme lead, who is rapidly falling for Hopalong. That was a mistake, and gives a wry ending.

New cactus story shows a ranchwoman returning to her old homestead after being railroaded to five years in prison. The sheriff attempts to dissuade her, but good old Hoppy shows him the light and thereafter he joins forces. A bright twist is given by using a fancy brand gag to catch the rustlers red-handed. Murder at 20 paces removes the sheriff from the scene and brings a bristling gun battle. Plot has the feminine ranch owner wade right into the direct fire from blazing rifles of the rustlers, and an equally absurd rescue by Hoppy.

Boyd is even a little more virile as Cassidy. Russell Hayden again is successfully cast as Lucky, while George Hayes returns to the series as Windy, as Hoppy's sidekick and the old-timer. Hayes' presence adds the humor and realism which vastly helps the vehicle. Billy King makes a boyish assistant in the plot to bring the rustlers to justice. Natalie Moorhead as the wronged ranchwoman supplies a colorful character, but should drop the English accent for such a role. Dorothy Short, a newcomer, is passably good in the younger romantic part. Leo MacMahon clicks in a heavy villain character. John Beach, Lane Chandler and John Elliott head the support.

## Miniature Reviews

**'Test Pilot'** (M-G). Destined for above-average grosses, Gable, Loy, Tracy, Barrymore for the marquee.

**'State Police'** (U). Racketeer-cops meller of dualing proportions.

**'Heart of Arizona'** (Par). Latest in Hopalong Cassidy broncho series a surprise action package.

**'Go Chase Yourself'** (RKO). Joe Penner farce should do oke in the duals on strength of family trade and kid draw.

Lesley Selander's direction is surprisingly smooth, considering the ingredients, while Norman Houston's dialog rings true. Russell Harlan's camera catches the mountain landscape okay, and is especially effective in action close-ups.

Picture stacks up well with others in this group. *Wear.*

## Under Western Stars

### (WITH SONGS)

Republic release of Sol C. Siegel production. Stars Roy Rogers and Smiley Burnette. Directed by Joe Kane. Story, Dorrell and Stuart McGowan; screenplay, the McGowans and Betty Burbridge; cameraman, Jack Marta; songs, Jack Lawrence, Peter Tinturin, Charles Rosoff, Johnny Marvin and Eddie Cherkose. Reviewed in projection room, N. Y., April 14, '38. Running time, 65 mins.

| | |
|---|---|
| Roy Rogers | Roy Rogers |
| Frog | Smiley Burnette |
| Eleanor | Carol Hughes |
| Maple City Four | Themselves |
| Fairbanks | Guy Usher |
| Marlowe | Tom Chatterton |
| Richards | Kenneth Harlan |
| Andrews | Alden Chase |
| Senator Wilson | Brandon Beach |
| Mayor Biggs | Earle Dwire |
| Mrs. Wilson | Jean Fowler |
| Mrs. Marlowe | Dora Clement |
| Scully | Dick Elliott |
| Larkin | Burr Caruth |
| Tremaine | Charles Whitaker |
| Sheriff | Jack Rockwell |
| Deputy Pete | Frankie Marvin |

Apparently it cost some coin, but Republic got away from the norm and produced a western that is different. In addition to being entertaining, it's plausible sage stuff that will hold the adult mind as well as the credulous kiddies. Add to foregoing presence of new star, Roy Rogers, a cinch b.o.'er, timeliness of utility company theme for exploitation, sensible music, plausible action, and the answer is a western among westerns. Definitely an improvement, but limited because of the cacti stigma. Title displays lack of imagination.

In Roy Rogers producers present a cowboy who looks like a wrangler, is a looker, an actor and a singer. Pushed into a quick starring spot after only a couple of appearances as supporter, he lives up to every expectation, and then some. His appeal to femme mob can also be counted upon. Walks away with the film despite presence of Smiley Burnette and Carol Hughes, and other good supports. End of year will find Rogers firmly embedded in draw firmament.

Unlike majority, music and comedy situations are injected with rhyme and reason, besides being pleasant to the ear. *Hurl.*

## OUTLAWS OF SONORA

Republic production and release. Features Bob Livingstone, Ray Corrigan, Max Terhune. Directed by George Sherman. Screenplay by Betty Burbridge and Edmond Kelso from original by Betty Burbridge. Based on characters created by William C. MacDonald. Photography, William Nobles. In Projection Room, New York, April 14, '38. Running time, 58 mins.

| | |
|---|---|
| Stony Brooke | Bob Livingstone |
| Tucson Smith | Ray Corrigan |
| Lullaby Joslin | Max Terhune |
| Dr. Martin | Jack Mulhall |
| Newt | Otis Harlan |
| Miss Burke | Jean Joyce |
| Rosita | Stelita Peluffo |
| Sheriff Trask | Tom London |
| Jane | Gloria Rich |
| Pierce | Edwin Mordant |
| Gabby | Ralph Peters |
| Slim | George Chesebro |
| Cooper | Frank LaRue |
| Nick | Jack Ingram |
| Pete | Merrill McCormack |

'Outlaws of Sonora' is another in the Three Mesquiteers series. It's suitable fare for the action-loving localities, and will more than satisfy juve fans. In this Bob Livingstone plays a dual role, being both leader of the trio on the side of law and order, and major domo of the opposition. He plays both parts equally well.

Direction has given it a pace which never allows the action to lag, providing a steady diet of chases, lead-tossing and knuckle-throwing for the entire runoff. Love interest is conspicuous by its absence. Livingstone is assigned to transport a bundle of cash from a bank to a cattlemen's association in a nearby town. He is given a letter of introduction and is intercepted by the outlaw gang by mistake while on his way to pick it up. Leader of the brigands recognizes his likeness, switches clothes and goes to pick up the money himself. He is uncovered by the bank head as a fraud, who is killed for his pains. Outlaw leader is mistaken for Livingstone as he leaves the bank by a window. Mistaken identities finally uncovered for round-up of the criminals.

Jack Mulhall plays the part of a doctor who figures prominently in the final capture. Max Terhune uses a dummy and a ventriloquist act for a few laughs. Photography okay, as is sound.

## WAJAN

### ('Son of a Witch')

Tomfilms, Inc., release of Dr. Frederick Dolsheim-Victor Baron Von Plessen expedition. Directed by Walter Spies, curator of 'Bali' Museum. Authenticated by Caleb Ray, governor general, and Spies; native cast picked from families in government service, South Bali; original native score by Wolfgang Zeller. At Gaiety, N. Y., starting April 16, '38. Running time, 70 mins.

| | |
|---|---|
| The Witch | Nudonk |
| Son of the Witch | Wajan |
| His Sweetheart | Sari |
| Her Father | Lombos |
| God of Good | Barong |
| God of Evil | Rangda |

*(Native dialog with English titles)*

Add another to the string of 'goona goona' native pictures; not any slower than some predecessors, and possibly more authentic. By employing the 'son of a witch' alternative title and exploiting its sensational angles, 'Wajan' possibly will get substantial money in grind houses. Scientific worth and entertainment value are in same class as others of its ilk.

Plot moves along fairly easily for such a semi-travelog subject. Natives occasionally mutter a few words, but they're lost in the humdrum happenings. Fable is one of those in which the native superstition about an ugly witch producing a curse on the village causes all the rumpus.

Native beauty bearing the tag of Sari looks well when she smiles. Lombos, as the father, is entirely a stolid, non-committal characterization. Nobody around in cast worth using again even in an expedition film.

Production has the usual semi-nudity of the dusky queens, but a fairly open bathing scene is cut to little more than a flash. Dancing the 'Legong' proves to be a tame affair. Spectacle of a young girl, stripped to the waist, teaching youngsters to perform the queer dance steps is different if nothing else.

Photography is fairly good considering quantity of camera work done outdoors. *Wear.*

## The Volga Boatman

### (FRENCH MADE)

J. H. Hoffberg release of Milo production. Directed by Vladimir Strichewsky. Story and adaptation, Joseph Kessel and Paul Bringuier; music, Michael Levine. At Squire, N. Y., week April 14, '38. Running time, 82 mins.

| | |
|---|---|
| Vadime Barzine | Pierre Blanchar |
| Volkoff | Charles Vanel |
| Lydia Jore | Vera Korene |
| Kiro | Inkijinoff |
| Colonel Jore | Georges Prieur |
| Broinka | Aimos Lobry |

*(In French; with English titles)*

Made in France with Russian and French talent, English titles being superimposed for the American market, 'Volga Boatman' doesn't measure up to the ability of those who execute it. Long and boresomely slow, this French-made is further handicapped by a set of very poor titles.

Dealing with pre-Revolutionary days in Russia and the sad lot of the boatmen who pull craft up the Volga, the scenario spotlights the misfortunes of an army officer whose love for the colonel's wife costs him dearly. He is consigned to the boat-tugging brigade, but through later circumstances, notably a yacht fire from which only the girl escapes, he gets somewhat of a break.

Scenario by Joseph Kessell, who wrote 'Mayerling,' is typically foreign but far from brilliant as produced by Milo-Film. Paul Bringuier worked with Kessel on the story, doing the dialog, and Vladimir Strichewsky, Russian director, piloted the action. The love scenes are only moderately impressive as handled, though the leads, Pierre Blanchar and Vera Korene, are very competent artists. Blanchar was in the French-made 'Life Dances On,' while Miss Korene is of the Comedie Francaise. Other members of the cast who shine brilliantly against the shoddy material are Inkijinoff, noted Russian character actor, and Charles Vanel, as the playboy. George Prieur plays the army colonel steadily and effectively.

The photography is not always A-1, but the shots obtained of the Volga, the boatmen and the other backgrounds are authentically impressive. Score includes strains of the number immortalizing the boatmen of the Volga as well as background numbers by a Russian army ensemble. *Wear.*

## GO CHASE YOURSELF

### (WITH SONG)

RKO release of Robert Sisk production. Stars Joe Penner. Features Lucille Ball, Richard Lane, June Travis, Fritz Feld, Tom Kennedy. Directed by Edward F. Cline. Screenplay by Paul Yawitz, Bert Granet from story by Walter O'Keefe; song, Hal Raynor; camera, Jack MacKenzie. Previewed in Projection Room, N. Y., April 16, '38. Running time, 70 mins.

| | |
|---|---|
| Wilbur Meely | Joe Penner |
| Carol Meely | Lucille Ball |
| Judith Daniels | June Travis |
| Nails | Richard Lane |
| Count Pierre | Fritz Feld |
| Ice-Box | Tom Kennedy |
| Halliday | Granville Bates |
| Frank | Bradley Page |
| Daniels | George Irving |
| Warden | Arthur Stone |
| Niles | Jack Carson |
| Police Chief | Frank M. Thomas |

Joe Penner's starrer is a B issue, aimed at the duals where it'll do a modicum of biz. Appeal will be limited to the adults who like Penner, and that means family trade, with the kids counting up heavily.

It's a farce with no musical flavoring other than a wisp of singing by the comedian. Penner plays his usual type of childish, feather-brained fellow. Supporting cast is trifle abler, in the aggregate, and stronger than usually encountered in dualers.

Star is a gaga bank teller who unwittingly tips off some safe-splitters that the bank uses its impressive vault for a front and hides the coin somewhere else at night. It's rifled and the teller, who's asleep in front of his house in a motorless trailer he's won in a raffle, later gets lugged along in his contraption behind the sedan of the fleeing thieves. Cops are trailing and the trailer (with Penner) is taken to elude suspicion.

Follows a series of diverting episodes of Penner constantly and un-

(Continued on page 25)

## Commercial Films

## Steel—Man's Servant

### (IN COLOR)

Produced by Roland Reed productions, with Batten, Barton, Durstine & Osborn advertising agency acting as supervisor for U. S. Steel Corp. Releasing firm not set. Narrated by Edwin C. Hill. Supervised by Charles M. Underhill, head of B.B.D. & O. film department; editor, Bernard Loftus; score and music by Robert Armbruster; musical consultant, Vittorio Giannini; camera, Chas. P. Boyle. Previewed at Waldorf-Astoria, N. Y., April 13, '38. Running time, 38 mins.

This virtually is a blow-up of the material in U. S. Steel one-reel Technicolor subject. Comparison of two pictures, however, makes it obvious that this one was made first and best shots edited out of it for the single reeler, with a few changes, new narration and score. 'Steel—Man's Servant' is about the most interesting scientic, educational subject in color yet contrived for the screen.

Though the picture seldom bores because of dexterous way in which varied processes in steel manufacture have been dovetailed, it obviously is too long for average theatre consumption. However, it's primarily designed for educational institutions, societies and the iron and steel dealers field. In such category the scope of the subject will be terrific. Film also will be okay in typical steel towns throughout the nation, and it is the intent of sponsors to offer it to exhibs in these places.

This four-reel feature goes into fairly comprehensive detail in showing how steel is turned out. Shows moving of iron ore in Great Lakes steamers, the molten metal and finally the completed blazing hot ingots from which train car wheels, axles, pipes, wire and other articles are illustrated in the making. *Wear.*

## MEN MAKE STEEL

### (IN COLOR)

U. S. Steel Corp. has turned out about the most dramatic scientific picture many exhibitors will play all year. This one-reel, first-hand glimpse at the inside of a vast steel plant has been extraordinarily executed, Technicolor crews going right inside Big Steel subsidiary plants for many scenes. A sure bet audience-pleaser in thousands of theatres if properly presented.

Aside from the initial credits on the film, the only reference to U. S. Steel is once in the narration, and it won't bother the average spectator. In the brief space of eight or nine minutes, the story of steel is related with dramatic swiftness. The prerequisites for entertainment never have been lost sight of. An example is the spectacular pyrotechnic display when an electric torch strikes a steel plate and later when the huge Bessemer converters produce a Roman candle effect.

Producers have deliberately subdued scientific aspects to emphasize the dramatic and colorful. Typical of this are the shots of the Radio City buildings, the gigantic Oakland Bay bridge and a Santa Fe streamlined train (done in Technicolor) to show uses to which steel is put.

Expert musical setting by Robert Armbruster, with the aid of Vittorio Giannini, heightens the sum total. Edwin C. Hill, vet commentator, has turned in one of his more versatile jobs describing the episodes. *Wear.*

# COMING!

# CRIME SCHOOL

with

## THE "DEAD-END" KIDS

*Tougher than ever!*

**Billy Halop · Bobby Jordan**
**Leo Gorcey · Gabriel Dell**
**Huntz Hall · Bernard Punsley**

**Something New to Remember WARNER BROS. By!**

and

## HUMPHREY BOGART

## GALE PAGE

**Directed by LEWIS SEILER · Music by Max Steiner · Screen Play by Crane Wilbur and Vincent Sherman · From a Story by Crane Wilbur · A First National Picture**

# FILM BOOKING CHART

*(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)*

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| WEEK OF RELEASE | TITLE | PRODUCER | DISTRIB. | TYPE | TALENT | DIRECTOR | TIME MINS. | WHEN REVIEWED BY VARIETY |
|---|---|---|---|---|---|---|---|---|
| 2/4/38 | WIFE OF GENERAL LING | John Stafford | GB | Drama | G. Jones-A. Renn | Ladislaus Vajda | 71 | 2/23 |
| | SPIRIT OF YOUTH | Lew Golder | GN | Action | Joe Louis-C. Muse-E. M. Harris | Harry Fraser | 66 | 1/5 |
| | EVERYBODY SING | Harry Rapf | MGM | Musical | F. Brice-A. Jones-J. Garland | E. L. Marin | 80 | 1/26 |
| | WHERE WEST BEGINS | Maurice Conn | Mono | Western | J. Randall | J. P. McGowan | 56 | 3/23 |
| | THE BUCCANEER | C. B. de Mille | Par | Drama | F. March-F. Gaal-A. Tamiroff | C. B. de Mille | 124 | 1/12 |
| | SNOW WHITE AND SEVEN DWARFS | Walt Disney | RKO | Cartoon | | Walt Disney | 83 | 12/29 |
| | DOUBLE DANGER | Maury Cohen | RKO | Meller | P. Foster-W. Bourne-D. Meek | Lew Landers | 62 | 2/16 |
| | OUTSIDE OF PARADISE | Harry Sauber | Rep | Comedy | P. Regan-P. Singleton | John H. Auer | 68 | 2/16 |
| | INTERNATIONAL SETTLEMENT | 20th | 20th | Drama | C. Romero-V. Field-J. Lang | E. Forde | 75 | 1/26 |
| | GOLDWYN FOLLIES | S. Goldwyn | UA | Musical | E. Bergen-Zorina-A. Menjou | Geo. Marshall | 115 | 2/2 |
| | MIDNIGHT INTRUDER | Trem Carr | U | Meller | B. Reed-L. Hayward | I. Lubin | 66 | 2/23 |
| | BLONDES AT WORK | Bryan Foy | WB | Comedy | B. MacLane-G. Farrell | F. McDonald | 63 | 3/16 |
| 2/11/38 | LITTLE MISS ROUGHNECK | W. MacDonald | Col | Com-Rom | E. Fellows-L. Carrillo | Aubrey Scotto | 64 | 3/9 |
| | CATTLE RAIDERS | H. L. Decker | Col | Western | C. Starrett-D. Grayson | Sam Nelson | | |
| | OF HUMAN HEARTS | J. Considine, Jr. | MGM | Drama | W. Huston-B. Bondi | Clarence Brown | 100 | 2/9 |
| | MY OLD KENTUCKY HOME | E. B. Derr | Mono | Com-Dr | E. Venable-G. Richards | L. Hillyer | 72 | 2/9 |
| | SCANDAL STREET | Par | Par | Comedy | L. Ayres-L. Campbell | James Hogan | 63 | 2/9 |
| | CHECKERS | John Stone | 20th | Rom-Com | J. Withers-S. Erwin-U. Merkel | H.B.Humberstone | 79 | 12/8 |
| | ADVENTURES OF TOM SAWYER | D. O. Selznick | UA | Com-Dr | T. Kelly-M. Robson | Norman Taurog | 93 | 2/16 |
| | FORBIDDEN VALLEY | Henry Macrae | U | Outdoor | N. Beery, Jr.-R. Barrat | W. Gittens | 68 | 4/30 |
| | KID COMES BACK | Bryan Foy | WB | Drama | W. Morris-J. Travis | B. R. Eason | 61 | 12/29 |
| | DAREDEVIL DRIVERS | Bryan Foy | WB | Action | D. Purcell-B. Roberts | B. R. Eason | 60 | 3/2 |
| 2/18/38 | WIDE OPEN FACES | David Loew | Col | Comedy | Joe E. Brown-J. Wyman | Kurt Newman | | |
| | THE GIRL WAS YOUNG | GB | GB | Com-Dr | N. Pilbeam-D. DeMarney | Alf Hitchcock | 84 | 12/8 |
| | A YANK AT OXFORD | Michael Balcon | MGM | Comedy | R. Taylor-L. Barrymore | Jack Conway | 100 | 2/2 |
| | PAINTED TRAIL | Robert Emmett | Mono | Western | Tom Keene | Robert Hill | 50 | |
| | BIG BROADCAST '38 | H. Thompson | Par | Musical | W. C. Fields-Raye-Lamour | Mitch Leisen | 80 | 2/9 |
| | BRINGING UP BABY | Cliff Reid | RKO | Rom-Com | K. Hepburn-C. Grant | Howard Hawks | 102 | 2/16 |
| | BARONESS AND BUTLER | Ray Griffith | 20th | Rom-Dr | Annabella-Wm. Powell | Walter Lang | 75 | 2/16 |
| | GOLD IS WHERE YOU FIND IT | Sam Bischoff | WB | Outdoor | G. Brent-C. Rains-J. Litel | M. Curtiz | 90 | 2/16 |
| 2/25/38 | WHO KILLED GAIL PRESTON? | Ralph Cohn | Col | Mystery | W. Cahoon-D. Terry | Leon Barsha | 60 | 3/9 |
| | ARSENE LUPIN RETURNS | John W. Considine | MGM | Meller | M. Douglas-W. William | G. Fitzmaurice | 82 | 2/23 |
| | PORT OF MISSING GIRLS | Lon Young | Mono | Drama | J. Allen-M. Stone | Karl Brown | 60 | 4/6 |
| | CASSIDY OF BAR 20 | Harry Sherman | Par | Western | W. Boyd-N. Lane | Les Selander | 60 | 3/30 |
| | NIGHT SPOT | Robt. Sisk | RKO | Com-Dr | Parkyakarkus-A. Lane | Christy Cabanne | 60 | 3/30 |
| | HOLLYWOOD STADIUM MYSTERY | A. Schaefer | Rep | Meller | N. Hamilton-E. Venable | David Howard | 66 | 3/2 |
| | LOVE ON A BUDGET | Max Golden | 20th | Comedy | J. Prouty-S. Byington | Bert Lenny | 60 | 1/12 |
| | STORM IN A TEACUP | A. Korda | UA | Comedy | V. Leigh-R. Harrison | Victor Saville | 66 | 0/6 |
| | PENROD AND TWIN BROTHER | Bryan Foy | WB | Com-Dr | Mauch Twins | Wm. McGann | 62 | 1/12 |
| 3/4/38 | ROLLING CARAVANS | Col | Col | Western | J. Luden-E. Stewart | Jos. Levering | | |
| | START CHEERING | Nat Perrin | Col | Musical | W. Connolly-Durante-J. Perry | A. S. Rogell | 78 | |
| | TO THE VICTOR | Maurice Ostrer | GB | Rom-Dr | W. Fyffe-J. Loder-M. Lockwood | Robt. Stevenson | 78 | |
| | MERRILY WE LIVE | Hal Roach | MGM | Comedy | C. Bennett-B. Burke-P. Kelly | N. Z. McLeod | 98 | |
| | ROMANCE IN DARK | Harlan Thompson | Par | Musical | G. Swarthout-J. Boles | H. C. Potter | 77 | |
| | MAID'S NIGHT OUT | Robert Sisk | RKO | Rom-Dr | A. Lane-J. Fontaine | Ben Holmes | 60 | |
| | PRISON NURSE | Herman Schlom | Rep | Meller | H. Wilcoxon-M. Marsh | James Cruze | 67 | 3/9 |
| | SALLY, IRENE AND MARY | Gene Markey | 20th | Musical | A. Faye-F. Allen-J. Lang | Wm. Seiter | 86 | 3/2 |
| | MAD ABOUT MUSIC | J. Pasternak | U | Musical | D. Durbin-H. Marshall | Norman Taurog | 98 | 3/2 |
| | SLIGHT CASE OF MURDER | Sam Bischoff | WB | Meller | E. G. Robinson-J. Bryan | Lloyd Bacon | 85 | 2/9 |
| 3/11/38 | MAKING THE HEADLINES | Col | Col | Rom-Dr | J. Holt-B. Roberts | Lewis D. Collins | 66 | 3/23 |
| | THE FIRST HUNDRED YEARS | Norman Krasna | MGM | Com-Dr | R. Montgomery-V. Bruce | Dick Thorpe | 75 | 3/16 |
| | ROSE OF RIO GRANDE | Dorothy Reid | Mono | Rom-Dr | Movita-John Carroll | Wm. Nigh | 60 | |
| | DANGEROUS TO KNOW | Par | Par | Meller | G. Patrick-A. M. Wong | Robert Florey | 68 | 3/16 |
| | HAWAII CALLS | Sol Lesser | RKO | Rom-Com | B. Breen-I. S. Cobb | Edward Cline | 72 | 3/2 |
| | CALL THE MESQUITEERS | Wm. Berke | Rep | Western | 3 Mesquiteers | John English | 55 | 3/2 |
| | WALKING DOWN BROADWAY | Sol Wurtzel | 20th | Com-Dr | C. Trevor-P. Brooks | N. Foster | 75 | 2/2 |
| | CRIME OF DR. HALLET | Ed Grainger | U | Mystery | R. Bellamy-B. Read | Sylvan Simon | 65 | 3/16 |
| | LOVE, HONOR AND BEHAVE | Lou Edelman | WB | Com-Dr | W. Morris-P. Lane | Stanley Logan | 60 | 2/16 |
| 3/18/38 | SAILING ALONG | GB | GB | Musical | J. Matthews-J. Whiting | Sonnie Hale | 94 | 2/9 |
| | GIRL OF GOLDEN WEST | Wm. A. McGuire | MGM | Musical | J. MacDonald-N. Eddy | R. Z. Leonard | 120 | 3/16 |
| | BULLDOG DRUMMOND'S PERIL | Par | Par | Mystery | J. Barrymore-L. Campbell | Jas. Hogan | 66 | 3/23 |
| | KING OF NEWSBOYS | V. Morehouse | Rep | Rom-Dr | L. Ayres-H. Mack | V. Morehouse | 68 | 3/30 |
| | REBECCA OF SUNNYBROOK FARM | Ray Griffith | 20th | Rom-Com | S. Temple-R. Scott | Norman Foster | 80 | 3/9 |
| | THE GAIETY GIRLS | A. Korda | UA | Musical | J. Hulbert-P. Ellis | T. Freeland | 72 | 3/2 |
| | ADVENTURES MARCO POLO | Sam Goldwyn | UA | Drama | G. Cooper-B. Rathbone | Norman Taurog | 100 | 2/16 |
| | NIGHT CLUB HOSTESS | W. Mycroft | U | Rom-Dr | B. Rogers-J. Clyde | Graham Cutts | | |
| | STATE POLICE | Trem Carr | U | Action | J. King-C. Moore | John Rawlins | 61 | 4/20 |
| | HE COULDN'T SAY NO | Bryan Foy | WB | Comedy | F. McHugh-J. Wyman | Lew Seiler | 57 | 4/6 |
| 3/25/38 | LONE WOLF IN PARIS | W. MacDonald | Col | Mystery | F. Lederer-F. Drake | Al S. Rogell | | |
| | HE LOVED AN ACTRESS | Wm. Rowland | GN | Musical | B. Lyon-L. Velez-W. Ford | Wm. Rowland | | |
| | JUDGE HARDY'S CHILDREN | MGM | MGM | Com-Dr. | L. Stone-M. Rooney-C. Parker | Geo. Seitz | 102 | |
| | ARSON GANGBUSTERS | Herman Schlom | Rep | Meller | J. LaRue-B. Livingston | Joe Kane | | |
| | MR. MOTO TAKES CHANCE | Sol Wurtzel | 20th | Mystery | L. Lorre-R. Hudson | Norman Foster | 60 | |
| | JEZEBEL | Henry Blanke | WB | Drama | B. Davis-H. Fonda-G. Brent | Wm. Wyler | 100 | 3/16 |
| 4/1/38 | WHEN G-MEN STEP IN | W. MacDonald | Col | Meller | D. Terry-R. Paige-J. Wells | C. C. Coleman, Jr. | 60 | 3/16 |
| | FLOATING CITY | Erich Pommer | GB | Drama | L. Fenton-C. Veidt | Karl Hartl | | |
| | LAND OF FIGHTING MEN | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Alan James | | |
| | TIP-OFF GIRLS | Par | Par | Meller | L. Nolan-M. Carlisle-R. Karns | Louis King | 60 | |
| | CONDEMNED WOMEN | Robert Sisk | RKO | Drama | S. Eilers-L. Hayward | Lew Landers | 77 | |
| | OUTLAWS OF SONORA | Wm. Berke | Rep | Western | 3 Mesquiteers-J. Joyce | Geo. Sherman | 58 | |
| | JOSETTE | Gene Markey | 20th | Musical | S. Simon-D. Ameche-B. Lahr | Allan Dwan | | |
| | GOODBYE, BROADWAY | Ed Grainger | U | Com-Rom | C. Winninger-A. Brady-T. Brown | Ray McCarey | 65 | |
| | ISLAND IN THE SKY | Sol Wurtzel | 20th | Meller | G. Stuart-M. Whalen | Herbert Leeds | 62 | 3/16 |
| 4/8/38 | FEMALE FUGITIVE | E. B. Derr | Mono | Meller | E. Venable-C. Reynolds | Wm. Nigh | 60 | 4/13 |
| | THIS MARRIAGE BUSINESS | Cliff Reid | RKO | Drama | V. Moore-A. Lane | Christy Cabanne | 70 | |
| | CAPITAL PUNISHMENT | John H. Auer | Rep | Rom-Dr | A. Marshall-T. Birell | John H. Auer | | |
| | RAWHIDE | Sol Lesser | 20th | Western | S. Ballew-E. Knapp | Ray Taylor | 60 | 4/6 |
| | RECKLESS LIVING | Val Paul | U | Com-Dr. | N. Grey-R. Wilcox-J. Savo | F. MacDonald | | |
| | WOMEN ARE LIKE THAT | Robt. Lord | WB | Com-Rom | K. Francis-P. O'Brien | Stanley Logan | 78 | 4/13 |
| 4/15/38 | FLIGHT INTO NOWHERE | Col | Col | Meller | J. Holt-J. Wells | Louis D. Collins | 62 | |
| | THE SHOW GOES ON | H. Wilcox | GB | Rom-Dr. | A. Neagle-T. Carminati | H. Wilcox | | |
| | ZAMBOANGA | Tait & Harris | GN | Outdoor | Native Cast | Tait & Harris | | |
| | TEST PILOT | Louis Lighton | MGM | Rom-Dr | C. Gable-S. Tracy-M. Loy | Vic Fleming | 120 | 4/20 |
| | HER JUNGLE LOVE | Geo. Arthur | Par | Rom-Dr | D. Lamour-R. Milland | G. Archainbaud | 81 | 3/23 |
| | JOY OF LIVING | Felix Young | RKO | Comedy | I. Dunne-D. Fairbanks, Jr. | Tay Garnett | 90 | 3/23 |
| | IN OLD CHICAGO | K. MacGowan | 20th | Drama | T. Power-A. Faye-Ameche | Henry King | 110 | 1/5 |
| | DIVORCE OF LADY X | Alex. Korda | UA | Rom-Dr | M. Oberon-L. Olivier | Tim Whelan | 90 | 1/19 |
| | NURSE FROM BROOKLYN | Ed. Grainger | U | Drama | S. Eilers-C. Kelly | Sylvan Simon | 67 | 4/13 |
| | FOOLS FOR SCANDAL | Mervyn LeRoy | WB | Rom-Com | C. Lombard-F. Gravet | Mervyn LeRoy | 80 | 3/30 |
| | UNDER WESTERN STARS | Sol C. Siegel | Rep | Western | R. Rogers-S. Burnette | Joe Kane | 65 | 4/20 |
| 4/22/38 | THERE'S ALWAYS A WOMAN | Wm. Perlberg | Col | Comedy | J. Blondell-M. Douglas | Alex Hall | 82 | |
| | INTERNATIONAL CRIME | Max Alexander | GN | Meller | R. LaRoque-A. Allwyn | C. Lamont | 65 | 4/20 |
| | HEART OF ARIZONA | Harry Sherman | Par | Western | W. Boyd-G. Hayes | Les Selander | 68 | 4/20 |
| | GO CHASE YOURSELF | Bob Sisk | RKO | Comedy | J. Penner-L. Ball | Edw. Cline | 70 | |
| | THE FEUD MAKER | A. W. Hackel | Rep | Western | B. Steele-M. Weldon | Sam Newfield | | |
| | LADY IN THE MORGUE | Irving Starr | U | Mystery | P. Foster-P. Ellis | Otis Garret | | |
| | ACCIDENTS WILL HAPPEN | Bryan Foy | WB | Com-Meller | R. Reagan-G. Blondell | Arthur Lubin | | |
| | BATTLE OF BROADWAY | Sol Wurtzel | 20th | Comedy | V. McLaglen-E. Muir | Geo. Marshall | 82 | |
| 4/29/38 | CALL OF THE ROCKIES | H. L. Decker | Col | Western | C. Starrett-I. Meredith | Allen James | | |
| | SWISS MISS | Hal Roach | MGM | Comedy | S. Laurel-O. Hardy | John G. Blystone | | |
| | COLLEGE SWING | Lewis Gensler | Par | Musical | M. Raye-Burns and Allen | Raoul Walsh | | |
| | RETURN OF SCARLET PIMPERNEL | Alex. Korda | UA | Drama | S. Stewart-B. Barnes-M. Scott | Hans Schwartz | | |
| | BELOVED BRAT | Bryan Foy | WB | Com-Dr | B. Granville-D. Costello | Arthur Lubin | | |
| | GUNSMOKE TRAIL | Maurice Conn | Mono | Western | J. Randall-L. Stanley | Sam Newfield | | |
| | FOUR MEN AND A PRAYER | K. MacGowan | 20th | Rom-Dr | L. Young-R. Greene | John Ford | | |
| 5/6/38 | THE MAIN EVENT | Ralph Cohn | Col | Mystery | R. Paige-J. Wells | Danny Dare | | |
| | THREE COMRADES | J. Mankiewicz | MGM | Drama | R. Taylor-M. Sullavan-Tone | F. Borzage | | |
| | DOCTOR RHYTHM | Emanuel Cohen | Par | Musical | B. Crosby-M. Carlisle | Frank Tuttle | | |
| | LAW OF THE UNDERWORLD | Bob Sisk | RKO | Meller | C. Morris-A. Shirley | Lew Landers | | |
| | SINNERS IN PARADISE | Ken Goldsmith | U | Drama | J. Boles-M. Evans | Jas. Whale | | |
| | KENTUCKY MOONSHINE | K. MacGowan | 20th | Musical | Ritz Bros.-T. Martin | David Butler | 60 | |
| | TORCHY BLANE IN PANAMA | Bryan Foy | WB | Com-Meller | L. Lane-P. Kelly | Wm. Clemens | 59 | 4/13 |
| 5/13/38 | LAW OF THE PLAINS | Col | Col | Western | C. Starrett-J. Meredith | Sam Nelson | | |
| | HOLD THAT KISS | J. Considine, Jr. | MGM | Comedy | D. O'Keefe-M. O'Sullivan | E. L. Marin | | |
| | PHANTOM RANGER | Maurice Conn | Mono | Western | T. McCoy-S. Karren | Sam Newfield | | |
| | STOLEN HEAVEN | Par | Par | Rom-Dr | G. Raymond-O. Bradna | Andrew Stone | | |
| | VIVACIOUS LADY | P. S. Berman | RKO | Rom-Dr | G. Rogers-J. Stewart | Geo. Stevens | | |
| | AIR DEVILS | Trem Carr | U | Action | B. Wallace-B. Blake | John Rawlins | | |
| | ADVENTURES OF ROBIN HOOD | Henry Blanke | WB | Hist-Rom | E. Flynn-O. de Havilland | W. Keighley-M. Curtiz | | |
| 5/20/38 | YELLOW JACK | Jack Cummings | MGM | Drama | R. Montgomery-V. Bruce | Geo. Seitz | | |
| | COCOANUT GROVE | Geo. Arthur | Par | Musical | F. MacMurray-H. Hilliard | Al Santell | | |
| | BLIND ALIBI | Cliff Reid | RKO | Meller | R. Dix-W. Bourne | Lew Landers | | |
| | MYSTERY HOUSE | Bryan Foy | WB | Drama | H. Bogart-G. Page | Lew Seiler | | |

# BIGGEST

## in 16 months at Capitol, N. Y.

# CRACK RECORDS!

A VICTOR
FLEMING
Production
with LIONEL
BARRYMORE
Screen Play by
Vincent Lawrence and
Waldemar Young
Original Story by
Frank Wead • A
Metro-Goldwyn-
Mayer Picture
Directed by Victor
Fleming • Produced
by Louis D. Lighton

# Advance Production Chart

*Hollywood, April 19.*

*Total production among the studios fell off slightly over the past two-week period, holding at 28 pictures in work as of April 13, against 36 before the cameras two weeks ago. Total of 143 features are still needed to complete season's schedules from all lots, with 359 pictures already cleared, and 58 now in the cutting rooms.*

## Columbia

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Features ........ | 40 | 25 | 2 | 3 | 11 | 2 |
| Westerns ........ | 22 | 11 | 1 | 2 | 7 | 4 |
| David Loew....... | | 1 | 0 | 0 | 1 | 1 |
| Total .......... | | 37 | 3 | 5 | 19 | 7 |

**Pictures now in the cutting rooms or awaiting previews are:**

**'LAW OF THE PLAINS,'** formerly titled **HIDDEN TRAILS,'** produced by Harry L. Decker; directed by Sam Nelson; screen play by Maurice Geraghty. Cast: Charles Starrett, Iris Meredith, Art Mix, Bob Nolan, Ed Le Saint, Jack Rockwell, George Chesebro, Dick Curtis, Ed Cobb.

**'THE SECRET OF TREASURE ISLAND'** (serial), produced by Lou Weiss; directed by Elmer Clifton; no writing credits as yet. Cast: Don Terry, Gwen Gaze, Grant Withers, Hobart Bosworth, William Farnum, Walter Miller, Charles Rosener, Stanley Blystone, P. J. Kelly, Colin Campbell, Warner Richmond.

**'CRIME TAKES A HOLIDAY,'** produced by Larry Darmour; directed by Lewis D. Collins; screen play by Henry Altimus, Jefferson Parker and Charles Logue; original story by Henry Altimus; photographed by James S. Brown, Jr. Cast: Jack Holt, Marcia Ralston, Russell Hopton, Douglas Dumbrille, William Pawley, Arthur Hohl, Thomas Jackson, Paul Fix, Harry Woods, John Wray, George Anderson.

**'SWINGTIME IN THE SADDLE,'** produced by Harry L. Decker for the Irving Briskin unit; directed by Sam Nelson; original screen play by Ed Earl Repp; photographed by Benjamin Kline. Cast: Charles Starrett, Iris Meredith, Bob Nolan, Dick Curtis, Pat Brady, Ed Le Saint, Edmund Cobb, Art Mix, Ernie Adams, John Tyrrell, Jack Rockwell, George Chesebro, The Sons of the Pioneers.

**'HIGHWAY PATROL,'** formerly titled **'STATE PATROL,'** produced by Wallace MacDonald for the Irving Briskin unit; directed by C. C. Coleman, Jr.; screen play by Robert Kent; photographed by Lucien Ballard. Cast: Robert Paige, Jacqueline Wells, Robert Middlemass, Arthur Loft, Al Bridges, Eddie Foster, Ann Doran, George McKay, Eddie Laughton.

### Columbia Pix Now in Production

**'HOLIDAY,'** produced by Everett Riskin; directed by George Cukor; screen play by Sidney Buchman and Donald Ogden Stewart from stage play by Philip Barry; photographed by Franz Planer. Cast: Katherine Hepburn, Cary Grant, Doris Nolan, Lew Ayres, Henry Kohler, Ann Doran, Mabel Colcord, Thomas Braidon, George Pauncefort, Maude Hume, Horace Murphy, Aileen Carlyle, Hilda Plowright, Bennie Burt.

**'VALLEY OF VIOLENCE,'** produced by Larry Larmour; directed by Joseph Levering; original screen play by Nate Gatzert; photographed by James S. Brown, Jr. Cast: Jack Luden, Joan Barclay, Dick Botillier, 'Tuffy' (canine), lim Whittaker, Marin Sais, Hal Taliaferro, Leon Beaumon.

**'CITY SHADOWS,'** formerly titled **'NO GREATER LOVE,'** produced by Wallace MacDonald for the Irving Briskin unit; directed by Al Rogell; screen play by Fred Niblo, Jr.; photographed by Alan Seigler. Cast: Leo Carrillo, Edith Fellows, Frank Sheridan, Helen Jerome Eddy, Tommy Bond, Mary Gordon, Arthur Loft, Joseph King, Grace Goodall, George Humbert.

## Grand National

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Features ........ | 43 | 14 | 1 | 0 | 28 | 5 |
| Westerns ........ | 22 | 4 | 0 | 3 | 15 | 2 |
| Total .......... | 65 | 18 | 1 | 3 | 43 | 7 |

**Pictures now in the cutting room or awaiting previews are:**

**'KING OF THE SIERRAS,'** Condor picture featuring three horses, Rex, Sheik and Thunder; Frank Gayass, associate producer; directed by Arthur Rosson; original screen play by Scott Darling; photographed by Tom Galligan. Cast: Frank Campeau, Wally Albright, Morgan Brown, Edward Peil, Billy Van Every.

**'WHIRLWIND COWBOY,'** produced by Max Alexander; directed by Bob Hill; original screen play by George Plympton; photographed by Walter Hiers. Cast: Ken Maynard, Joan Barclay, Billy Griffith, Joe Girard, Bob Frazier, Bub Osborne, Wally West.

**'TRAILS WEST,'** produced by Max Alexander; directed by Harry Fraser; original screen play by Harry Fraser; photographed by Walter Hiers. Cast: Ken Maynard, Ruth Findlay, Glenn Strange, Dick Kramer, Ed Piel, Warner Richmond, Earl Dwire.

### Grand National Pix Now in Production

**'RENFREW RIDES NORTH,'** being produced by Criterion Pictures; associate producer, Philip N. Kranse; directed by Al Herman; no writer credits as yet released; photographed by Ira Morgan. Cast: James Newill, Terry Walker, Silver King (canine).

## Metro

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Features ........ | 48 | 27 | 6 | 1 | 14 | 10 |
| Hal Roach........ | 4 | 1 | 0 | 1 | 2 | 4 |
| Total .......... | 52 | 28 | 6 | 2 | 16 | 14 |

**Pictures now in the cutting rooms or awaiting previews are:**

**'SWISS MISS'** (Hal Roach), produced by S. S. Van Kauren; directed by John G. Blystone; original by Jean Negulesco and Charles Rogers; screen play by Felix Adler, James G. Parrott and Charley Melson; photographed by Norbert Brodine and Art Lloyd. Cast: Stan Laurel, Oliver Hardy, Della Lind, Walter Woolf King, Adia Kuznetzoff, Charles Judels, Greta Meyer.

**'THREE COMRADES,'** produced by Herman J. Mankiewicz; directed by Frank Borzage; screen play by F. Scott Fitzgerald and E. E. Paramore, Jr.; original story by Erich Maria Remarque; photographed by Joseph Ruttenberg. Cast: Robert Taylor, Margaret Sullavan, Franchot Tone, Robert Young, Henry Hull, Spencer Charters, George Offerman, Jr., Sarah Padden, Roger Converse, Ferdinand Munier, Lionel Atwill, George Zucco, Matt Gilman, Guy Kibbee, Charles Grapewin, Esther Muir, Priscilla Lawson, Harvey Clark, Herta Lind, Dorothy Vernon, Naomi Childers, Monty Wooley, William Haade, Norman Willis, Freddie Graham, Gordon Cravath, Marjorie Main, Claire MacDowell.

### Metro Pictures Now in Production

**'MARIE ANTOINETTE,'** produced by Hunt Stromberg; directed by W. S. Van Dyke; adapted from biography by Stefani Zweig; no other writing credits as yet; photographed by William Daniels. Cast: Norma Shearer, Tyrone Power, Robert Morley, Anita Louise, Gladys George, Melvyn Douglas, Joseph Calleia, Cora Witherspoon, Shepherd Strudwicke, Barnett Parker, Tom Rutherford, Reginald Gardiner, Henry Stephenson, Ruth Hussey, Olaf Hytten, Ramsey Hills, Jack George, Erville Anderson, Duke Lee, Greta Granstedt, Ann Evers, Ocean Claypool, Claire Owen, Vernon Downing, Phillip Terry, Frank Elliott, Tom Rutherford, Mimi Olvera, Frances Millen, Dorothy Christy, Guy Bates Post, Corbet Morris, Charles Irwin, Harry Davenport, Hall Cook, Edward Keane, Henry Daniell, Harry Semels, Henry Allen, Helene Millard, Dario Piazzo, Eulalie Jay, George Smith, Frank Swales, Broderick Farrell, Mae Busch, Walter Walker, Art Dupris, Joan Mitchell, John Barrymore, Joseph Schildkraut, Albert Van Dekker, Anthony Warde, Lyons Wickland, George Houston, 'Slats' Wyrick, E. Mason Hopper, Mary Howard, Brent Sargent, Charles Waldron, Peter Bull, Esther Howard, Alma Krueger, George Meeker, Leonard Penn, Victor Kilian, John Burton, William Crowell, John Merton, Moroni Olsen, Edward Keane, Guy D'Emery, Frank McGlynn, Jr., Inez Palange, Theodore Von Eltz, Carl Stockdale, Herbert Rawlinson, Ivan Simpson, Jack Smart.

**'THE TOY WIFE,'** formerly titled **'MLLE. FROUFROU,'** produced by Merian C. Cooper; directed by Richard Thorpe; screen play by Zoe Atkins from adaptation of a French drama by Henri Meilhoc and Ludovic Helevy; photographed by Oliver Marsh. Cast: Luise Rainer, Melvyn Douglas, Robert Young, H. B. Warner, Clarence Muse, Libby Taylor, Barbara O'Neill, Lillian Yarbo, Alma Kruger, Walter Kingsford, Leonard Penn, Margaret Irving, Clinton Rosemond, Esther Muir, Lew Payton, Alan Pearl, Mme. Sul-ten-wan, Myrtle Anderson, Gertrude Saunders, Cora Lang, Irene Allen, Violet McDonnell, Willa Pearl Curtis, Cornelius Bullard, Ted Collins, Jessie Clark, Ed Allen, George Reed, Albert Morin, Robert Spindoa, Edwin Van Sloan, Hal LeSeuer, Tom Rutherford, Douglas McPhail.

**'YELLOW JACK,'** produced by Jack Cummings; directed by George Seitz; screen play by Edward Chodorov; photographed by Lester White. Cast: Robert Montgomery, Virginia Bruce, Alan Curtis, Lewis Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Beecher, Philip Terry, Stanley Ridges, C. Henry Gordon, Charles Coburn, Douglas McPhail, Henry O'Neill, Ben Taggart.

**'HOLD THAT KISS,'** produced by John W. Considine, Jr.; directed by Edwin L. Marin; original story by Stanley Rauh; photographed by George Folsey. Cast: Dennie O'Keefe, Maureen O'Sullivan, Mickey Rooney, Fay Holden, Frank Albertson, Charles Judels, George Barbier, Jack Norton, Jessie Ralph, Ruth Hussey, Phil Terry, Ben Taggart, Betty Ross Clary, Ray Turner, Eric Wilton, Leonard Carey, Betty Blythe, Brent Sargent.

**'SHOPWORN ANGEL,'** produced by Joseph Mankiewicz; directed by H. C. Potter; photographed by Joe Ruttenberg. Cast: Margaret Sullavan, James Stewart, Walter Pidgeon, Jack Hutchinson, Roger Moore, King Baggott, Jimmy Butler, Joe La Cava, Bill Baily, Art Howard, H. Allen, Priscilla Lawson, Hudson Shotwell, Harry Tyler, George Chandler, Jack Hutchinson, Bill Fisher, Frances Stevens, Oscar Feyleur, Dick Paxton, Harry Adams, Eugene Taylor, Hattie McDaniel, Jack Phipps, Harry Warren, Frank McGlynn, Jr., Dorothy Koster.

**'LORD JEFF,'** produced by Frank Davis; directed by Sam Wood; screen play by Val Burton and Bradford Ropes; photographed by John Seitz. Cast: Freddie Bartholomew, Mickey Rooney, Herbert Mundin, William Austin, Vernon Downing, Emma Dunn, Keith Kenneth, John Burton, Gale Sondergaard, Walter Tetley, Terry Kilbourne, Peter Lawford, Charles Coburn, Walter Kingsford, Matthew Boulton, Reggie Streeter, Merwin Lucas, Billy McGuire, Harry Duff, John O'Day, Richard Lucas, Peter and Fred Ellis.

## Monogram

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Features | 26 | 21 | 0 | 3 | 2 | 2 |
| Westerns | 16 | 12 | 0 | 2 | 2 | 2 |
| Total .......... | 42 | 33 | 0 | 5 | 4 | 4 |

**Pictures in the cutting room:**

**'FEMALE FUGITIVE,'** produced by E. B. Derr; directed by William Nigh; original story and screen play by John T. Neville and Bennett R. Cohen. Cast: Evelyn Venable, Craig Reynolds, Reed Hadley, John Kelly, Charlotte Treadway, Reginald Sheffield, Rafael Bennett, John Merton, Emmett Vogan, Lee Phelps, Martha Tibbetts, Sam Flint, Fern Emmett, Lynton Wright Brent, Claire Rochelle, Edna Saller.

**'THE PHANTOM RANGER,'** formerly titled **'RIDIN' GENTS'**; associate producer, Maurice Conn; directed by Sam Newfield; original screen play by Joseph O'Donnell; photographed by Jack Greenhalgh. Cast: Col. Tim McCoy, Suzanne Kaaren, Karl Hackett, John St. Polis, Charles King, John Merton, Harry Strange, Sherry Tansey, Dick Creamer, Tom London, Bob McKenzie, Henry Holcomb, Jack Hendricks.

**'GUNSMOKE TRAIL,'** associate producer, Maurice Conn; directed by Sam Newfield; screen play by Fred Nyton; original story by Robert Emmett; photographed by Jack Greenhalgh. Cast: Jack Randall, Louise Stanley, Al St. John, John Merton, Ted Adams, Harry Strange, Kit Guard, Jack Ingram, Al Bridges, Hal Price.

**'PRIVATE NURSE,'** produced by E. B. Derr; directed by Karl Brown; original screen play by Jack Neville; photographed by Arthur Martinelli. Cast: Sally Blane, Lloyd Hughes, John Arledge, J. Farrell MacDonald, Howard Hickman, Mayo Methot, Clay Clement, Ralph Dunn, Gordon Hart, Robert Fiske, Ward Bond, Mary Lou Lender, Morgan Wallace, Oscar O'Shea, Kathryn Sheldon, Jack C. Smith, Mary McLaren.

**'THE MARINES ARE HERE,'** no producer credit; directed by Phil Rosen; original by Franklin Adreon, Jr.; screen play by Scott Darling, Jack Knapp and J. Benton Cheney; photographed by Gilbert Warrenton. Cast: Gordon Oliver, June Travis, Guinn Williams, Ray Walker, Billy Dooley, Ronnie Cosbey, Pat Gleason, Edward Earle, Wade Boteler, Earl Douglas, Carleton Young, Roy Brent, Richard Beach, Wally Walker, William Gavier, Joe McGuinn, Sy Shindell, Jack Grant, Dutch Hedrian, John Pecorri, Harry Semels, James B. Leong.

## Paramount

| | Number of Pix Promised | Number Completed | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|
| Studio ........... | 39 | 30 | 7 | 0 | 6 |
| Harry Sherman... | 7 | 7 | 0 | 0 | 0 |
| Emanuel Cohen... | 3 | 2 | 1 | 0 | 0 |
| B. P. Schulberg... | 8 | | 0 | 0 | 0 |
| Total .......... | 57 | 47 | 8 | 0 | 6 |

**Pictures now in the cutting rooms or awaiting previews are:**

**'DOCTOR RHYTHM,'** formerly titled **'THE BADGE OF POLICEMAN O'ROON,'** Major Pictures production; produced by Emanuel Cohen; associate producer, Herb Polesie; directed by Frank Tuttle; original by O. Henry; screen play by Jo Swerling and Richard Connell; photographed by Charles Lang. Cast: Bing Crosby, Mary Carlisle, Beatrice Lillie, Andy Devine, Laura Hope Crews, Fred Keating, Sterling Holloway, Rufe Davis.

**'STOLEN HEAVEN,'** general office production; directed by Andrew L. Stone; screen play by Eve Greene and Frederick Jackson, based on a story by Andrew L. Stone; photographed by William Mellor. Cast: Gene Raymond, Olympe Bradna, Lloyd Nolan, Glenda Farrell, Lewis Stone, Porter Hall, Esther Dale, Joseph Sawyer, Ferdinand Gottschalk, Bert Roach, Rolfe Sedan, Hooper Atchley, Douglass Dumbrille, Ferdinand Schumann-Heink.

**'PROFESSOR BEWARE,'** produced by Harold Lloyd; directed by Elliott Nugent; screen play by Delmer Daves and Jack Cunningham; original by Crampton Harris and Francis M. and Marion B. Cockrell; photographed by Archie Stout. Cast: Harold Lloyd, Phyllis Welch, Raymond Walburn, Sterling Holloway, Lionel Stander, Mary Lou Lender, Guinn 'Big Boy' Williams, Ward Bond, Spencer Charters, Clara Blandick, William Frawley, Thurston Hall, Cora Witherspoon.

**'YOU AND ME,'** produced and directed by Fritz Lang; no writing credits released as yet; photographed by Charles Lang. Cast: George Raft, Sylvia Sidney, Barton MacLane, Roscoe Karns, Harry Carey, Robert Cummings,

(Continued on page 21)

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## Historical Pix

(Continued from page 7)

talker-conscious, Hays insists. He wants them pointing their footsteps through the turnstiles. He believes this can be accomplished by injecting lore into silversheet fare. Way will be paved gradually with the forthcoming numbers to include both instruction in ancient history personalities and events, as well as in the creation of enterprises that have played important roles in the development of the country.

Four producing companies that have already lined up their 1938-39 programs have each announced from eight to nine films leaning heavily toward the scholastic angle. They are 20th-Fox, Paramount, Metro and Warners. Individual producers for United Artists have announced that they are searching for stories that will fit in with the new mode. Universal and RKO, still engaged in filming to complete their present year's slates, have only started to mull ideas for the next stanza, but ranking executives have given assurances that they will add a few, at least, to the cycle. Already being given serious consideration by Pandro Berman, RKO production boss, is the saga of the Postal Telegraph system, founding of which dovetails with the opening of the west and the California gold rush of '49.

Leadership in the change of trend momentarily belongs to 20th-Fox and Paramount, each of which has slated nine such features, all of them to be made on a pretentious scale. Metro and Warners have docketed eight each, all to be made as A's and all to emphasize educational matter. Latter organization will increase its list of patriotic shorts, under the producer guidance of Gordon Hollingshead. Included in this briefie group will be 'He Sang Yankee Doodle,' 'The Declaration of Independence' and 'John Paul Jones.'

### How They Line Up

Features with educational twists already lined up and the outfits to produce them include:

20th-Fox: 'Suez,' the story of the building of the Suez canal, which will have Tyrone Power, Loretta Young and Annabella in the featured roles, with Allan Dwan directing; 'Kentucky,' a tale of the mountain feuds running back to their inception; 'Life of Alexander Graham Bell,' covering the birth and progress of the telephone; 'Stanley and Livingstone,' a saga of Africa of half century ago; 'Bank of England,' 'Jesse James,' 'King of the Khyber Rifles,' 'Splinter Fleet,' based on Uncle Sam's war-time sub-chasers, and 'Guns Along the Mohawk.'

Paramount: 'Rulers of the Sea,' motivated by the founding of the Cunard line; 'Men with Wings,' a complete history of aviation; 'Union Pacific,' covering the growth of the railroads; 'Knights of the Round Table,' covering the King Arthur era; 'Western Union,' 'Hudson's Bay Company,' 'Spawn of the North,' which is the saga of the salmon fishing industry; 'The Texans,' devoted to the post-Civil War period of carpet-baggers, land grants and land grabs; 'Big Steel,' tracing the founding of the steel industry.

Metro: 'Stand Up and Fight,' covering the growth of freight transportation; 'Marie Antoinette,' 'Madam Curie,' which is the story of her work with radium; 'Sea of Grass,' written around the cattle-raising industry and the last stand of the big land barons; 'The Foundry,' covering the photo-engraving business; 'Northwest Passage,' built on the early belief that a navigable stream flowing along the Canadian border connected the Great Lakes with the Pacific; 'Yellow Jack,' tracing medical science's war on yellow fever, which got under way during the Spanish-American war, and one other not yet selected.'

Warners: 'Haym Salomon,' saga of the man who financed George Washington's army in the American Revolution; 'Valley of the Giants,' revealing the warfare between the big lumber companies which had its inception 50 years ago; 'Gentleman from Kimberly,' saga of the South African diamond mines; 'Life of the Wright Brothers,' back-tracking aviation's progress; 'Maximillian and Juarez,' background for which is provided by the most colorful and thrilling period in Mexico's history; 'Sarah Bernhardt,' providing an insight into the ever-changing France she knew from childhood, and 'Clarence Darrow,' which will bring to the screen the bitterly-fought man-from-ape trial in which he played so important a role.

# BIG

## HELD OVER THIRD WEEK RADIO CITY MUSIC HALL!

As we go to press the entire front of the theatre has been roped off with police in attendance to handle the crowds!

**BIG** IN PHILADELPHIA!
*Biggest four days of the year. Held over indefinitely!*

**BIG** IN LOS ANGELES!
*Day and date at Warner's and Downtown Theatres breaks record set by "Hurricane" by more than $800. Held over indefinitely!*

**BIG** IN NASHVILLE!
*Biggest opening mati on record!*

**BIG** IN PORTLAND, ORE.!
*Sets all-time mark for opening day at Broadway Theatre!*

**BIG** IN NEW ORLEANS!
*Third day beats Saturday, (2nd day) by more than $700!*

SAMUEL GOLDWYN
PRESENTS
**GARY COOPER**
IN
THE **Adventures OF Marco Polo**

WITH
**BASIL RATHBONE**
INTRODUCING
**SIGRID GURIE**
ERNEST TRUEX · GEORGE BARBIER · ALAN HALE · BINNIE BARNES · And a Cast of Five Thousand
Directed by **ARCHIE MAYO** · Screenplay by **ROBT. E. SHERWOOD**
RELEASED THRU UNITED ARTISTS

# Advance Production Chart

(Continued from page 19)

Warren Hymer, Guinn 'Big Boy' Williams, Carol Paige, Vera Gordon, Matt McHugh, Paul Newlan, Bernadene Hayes, George E. Stone, Cecil Cunningham, Margaret Randall, Jack Mulhall, Julia Faye, Arthur Hoyt, Harlan Briggs, Joyce Compton, Edward Pawley, Fern Emmett, Juanita Quigley, Joe Gray, William B. Davidson, Adrain Morris, Roger Gray, Egon Brecher, Paul Newlan.

**'TROPIC HOLIDAY,'** produced by Arthur Hornblow, Jr.; directed by Theodore Reed; screen play by Don Hartman and Frank Butler, John C. Moffitt and Duke Atteberry; photographed by Ted Tetzlaff. Cast: Dorothy Lamour, Ray Millard, Martha Raye, Bob Burns, Tito Guizar, Binnie Barnes, Elvira Rios, Pepito, Michael Visaroff, Bobbie Moya, Ascension and Del Rio Trio, Dominguez Brothers' San Cristobal Marimba Band, Roberto Soto, Jesus Topete, Paula DeCardo, Dolores Casey, Sheila Darcy, Marie Burton, Paul Lopez, Chris Pin Martin, Fortunio Bona Nova, Duncan Renaldo, Jose Fernandez, Matt McHugh.

**'COCOANUT GROVE,'** produced by George Arthur; directed by Alfred Santell; original screen play by Sy Bartlett and Olive Cooper; photographed by Leo Tover. Cast: Fred MacMurray, Harriett Hilliard, Yacht Club Boys, Ben Blue, Billy Lee, Rufe Davis, Harry Owens and his Royal Hawaiian orchestra, George Walcott, Dorothy Howe, Red Stanley, Eve Arden, Lester Allen, Paul Newlan, Roy Gordon, William B. Davidson.

**'HUNTED MEN,'** formerly titled **'CRIME GIVES ORDERS,'** produced by Harold Hurley; directed by Louis King; screen play by Horace McCoy and William R. Lipman; based on play by Albert Duffy and Marian Grant; photographed by Victor Milner. Cast: Lloyd Nolan, Mary Carlisle, Lynne Overman, J. Carrol Naish, Larry Crabbe, Anthony Quinn, Johnny Downs, Regis Toomey, Delmar Watson, Dorothy Peterson, Fern Emmett, Lu Miller, George Davis, Hooper Atchley, Laurie Lane, Mary Parker, Dick Rush, Howard Mitchell, Zeffie Tilbury, Phil Warren, Robert E. Homans, Stanley Price, Jack Dunn, Richard Denning, Jack Hubbard, Archie Twitchell, Laurie Lane, Ruth Rogers, Edwin Brian, Scott Groves, John Hart, Janet Waldo, J. P. McGowan, Dick Rich, Tommy Bupp, Sammy McKim, Sonny Bupp.

### Paramount Pix Now in Production

**'THE TEXANS,'** formerly titled **'MARCHING HERDS,'** produced by Lucien Hubbard; directed by James Hogan; no writing credits released as yet; photographed by Theodor Sparkuhl. Cast: Randolph Scott, Joan Bennett, May Robson, Robert Cummings, Harvey Stephens, Robert Barrat, Walter Brennan, Raymond Hatton, Tito Guizar, Ray Middleton, Walter Abel, Bill Roberts, Ed Gargan, Clarence Wilson, Otis Harlan, Spencer Charters, William Haade, Archie Twitchell, Jack Moore, Irving Bacon, Harry Woods, Vera Steadman, Wheeler Oakman, Margaret McWade, Richard Tucker, Anna Demetrio, Francis Ford, Richard Denning, Frank Cordell, John Eckert, Slim Hightower, Scoop Martin, Whitey Severn, Slim Talbot, Jimmie Kilgannon, Oscar Smith, Ernie Adams, Virginia Jennings, James Burtis, Jack Perrin, Edward Brady, Everette Brown, Edward Le Saint, James Kelso, J. anley Head, Philip Morris, Carl Harbough, James Guinn.

**'SPAWN OF THE NORTH,'** produced by Albert Lewi ; directed by Henry Hathaway; original by Barrett Willoughby; photographed by Charles Lang. Cast: George Raft, Henry Fonda, replacing Georges Rigaud, John Barrymore, Akim Tamiroff, Lynne Overman, Dorothy Lamour, Louise Platt, Fuzzy Knight, Vladimir Sokoloff, Duncan Renaldo, Richard Ung, Paul Newlan, Lee Shumway, Stanley Andrews.

**'PRISON FARM,'** general office production; directed by Louis King; screen play by Horace McCoy and William Lipman; photographed by Harry Fischbeck. Cast: Lloyd Nolan, William Frawley, John Howard, J. Carroll Naish, Shirley Ross, Porter Hall, Anna Q. Nilsson, May Boley, Esther Dale, John Hart, Marjorie Main, Rayemou Robin.

**'SING, YOU SINNERS'** (for 1938-39 season), produced and directed by Wesley Ruggles; original screen play by Claude Binyon; photographed by Karl Struss. Cast: Bing Crosby, Fred MacMurray, Elizabeth Patterson, Donald O'Connor, Erin Drew, Harlan Briggs, John Gallaudet, Pat West.

## RKO-Radio

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Studio | 43 | 29 | 0 | 6 | 8 | 10 |
| Condor | 6 | 0 | 0 | 0 | 0 | 0 |
| Sol Lesser | 3 | 2 | 0 | 0 | 1 | 1 |
| David Loew | 2 | 2 | 0 | 0 | 0 | 0 |
| Walt Disney | 1 | 1 | 1 | 0 | 0 | 0 |
| Total | 55 | 34 | 1 | 6 | 15 | 11 |

**Pictures now in the cutting rooms or awaiting previews are:**

**'HAVING WONDERFUL TIME,' produced by Pandro S. Berman; directed by Al Santell; play and screen play by Arthur Kober; photographed by Robert De Grasse. Cast: Ginger Rogers, Douglas Fairbanks, Jr., Richard 'Red' Skelton, Peggy Conklin, Eve Arden, Lucille Ball.**

**'VIVACIOUS LADY,'** produced by Pandro S. Berman; directed by George Stevens; screen play by Anne Morrison Chapin and Kay Van Riper from novel by I. A. R. Wylie; photographed by Robert De Grasse. Cast: Ginger Rogers, James Stewart, James Ellison, Jack Carson, Phyllis Kennedy, Spencer Charters, Ray Mayer, Maude Eburne, Floyd Shackleford, Alec Craig, Beulah Bondi, Charles Coburn, Frances Mercer, Grady Sutton, Franklin Pangborn.

**'SAINT IN NEW YORK,'** produced by William Sistrom; directed by Ben Holmes; from novel by Leslie Charteris; photographed by Joseph August. Cast: Louis Hayward, Kay Sutton, Paul Guilfoyle, Sig Rumann, Jonathan Hale, Fred Burton, Ben Welden, Jack Carson, Charles Halton, Cliff Bragdon, Shirley Coates, Gus Glassmire, Thomas Morgan, Torben Meyer, Julian Rivero, Monte Carter, Bert Rose, Jay Adler, George Anderson, Lee Phelps, Dick Lame, Lester Dorr, Roy James, Edward Le Saint, Robert Graves, George Irving, Frank M. Thomas, Paul Fix, Jack Daugherty, Anthony Warde, Roy Kantor, Jean Cleveland, Harry Dupp.

**'MUDDLED DEAL,'** produced by William Sistrom; directed by Joseph Santley; taken from play by Aladar Laszlow; screen play by Charles Kaufman, Paul Yawitz, Viola Brothers Shore and Harry Segall; photographed by Roy Hunt. Cast: Joan Fontaine, Derrick De Marney, Cecil Kellaway, Cecil Cunningham, Lilian Bond, Robert Coote, Claude Allister, Phyllis Coghlan, Rita Page, Charles Coleman.

**'BLIND ALIBI,'** produced by Cliff Reid; directed by Lew Landers; original by William J. Cowan; screen play by Lionel Houser; photographed by Nicholas Muscarca. Cast: Richard Dix, Whitney Bourne, Eduardo Ciannelli, Frances Mercer, Paul Guilfoyle, Richard Lane, Jack Arnold, Walter iller, George Shelley, George Irving.

**'GUN LAW,'** produced by Bert Gilroy; directed by Dave Howard; screen play by Oliver Drake; photographed by Joseph August. Cast: George O'Brien, Rita Oehman, Ray Whitley, Paul Everton, Robert Gleckler, Ward Bond, Frank O'onnor, Jim Mason, Ethan Laidlaw.

### RKO-Radio Pictures Now in Production

,' being prepared by Walt Disney for release on RKO 1938-39 ; feature-length cartoon based on story by Felix Salten.

## Republic

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Total | 52 | 29 | 1 | 3 | 19 | 24 |

**Pictures now in the cutting rooms awaiting preview are:**

**'FIGHTING DEVIL DOGS'** (serial), produced by Robert Beche; directed by William Witney and Jack English; original screen play by Barry Shipman, Ronald Davidson, Franklyn Adreon and Sol Shorr; photographed by William Nobles. Cast: Lee Powell, Herman Brix, Eleanor Stewart, Hugh Sothern, Montagu Love, Sam Flint, John Davidson, Monte Montague, Henry Otho, Forrest Taylor, Billy MacGowan, Edmund Cobb, Perry Ivins, Tom London, Alan Gregg, Edward Foster, Al Taylor, Allan Mathews, Reed Howes, Dick Thane.

**'ROMANCE ON THE RUN,'** produced by Herman Schlom; directed by Gus Mei ; screen play by Jack Townley; photographed by Ernest Miller. Cast: Donald Woods, Patricia Ellis, Craig Reynolds, Grace Bradley, Edward Brophy, William Demarest, Andrew Tombes, Granville Bates.

**'GANGS OF NEW YORK,'** produced by Armand Schaefer; directed by James Cruze; screen play by Wellyn Totman, Jack Townley, Sam Fuller, Charles Francis Royal; original by Sam Fuller; suggested by Herbert Asbury's book, 'The Gangs of New York'; photographed by Ernest Miller. Cast: Charles Bickford, Ann Dvorak, Alan Baxter, Wynne Gibson, John Wray, Harold Huber, Maxie Rosenbloom, Charles Trowbridge, Frank Kohler, Sr., Elliott Sullivan, Jonathan Hale, Howard Phillips, Eddie Acuff.

### Republic Pictures Now in Production

**'FIRST PRIZE,'** produced by Harry Grey; directed by Gus Meins; no writing credits as yet released; photographed by Jack Marta. Cast: Alison Skipworth, Polly Moran, Max Terhune, Bob Livington, Virginia Grey, Berton Churchill, Sam Bernard, Leonard Penn, Eddie Acuff, Billy Wayne, Tom London.

## 20th Century-Fox

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Studio | 52 | 35 | 5 | 7 | 5 | 7 |
| Sol Lesser | 6 | 4 | 0 | 0 | 2 | 2 |
| Total | 58 | 39 | 5 | 7 | 7 | 9 |

**Pictures in the cutting rooms or awaiting previews are:**

**'KIDNAPPED,'** produced by Kenneth Macgowan; directed by Al Werker; no writing credits as yet available. Cast: Warner Baxter, Arleen Whelan, Freddie Bartholomew, John Carradine, Leon Ames, Robert Allen, Miles Mander, E. E. Clive, Donald Haines, Ralph Forbes, Elsa Buchanan, Billy Bevan, Moroni Olson, C. Aubrey Smith, Reginald Owen, Nigel Bruce, Arthur Hohl, Halliwell Hobbes, H. B. Warner, Eric Wilton, York Sherwood, Gordon Hart, Montagu Love, Colin Kenny, John Graham Spacey, Keith G. Kenneth, John Rogers, Thomas London, Dave Thursby, J. P. McGowan, Marty Faust, Evan Thomas, Ivo Henderson.

**'FOUR MEN AND A PRAYER,'** produced by Kenneth Macgowan; directed by John Ford; screen play by Richard Sherman, Sonya Levien and Walter Ferris, from book by David Garth; photographed by Ernest Palmer. Cast: Loretta Young, Richard Greene, Reginald Denny, George Sanders, William Henry, Allan Hale, David Niven, J. Edward Bromberg, C. Aubrey Smith, Barry Fitzgerald, Claude King, Berton Churchill, John Carradine, Cecil Cunningham, Selmer Jackson, Will Stanton, Mary Forbes, Edgar Norton, Jean Fenwick, Phyllis Clare, Vesey O'Davoren, Russ Clark, George Regas, Francisco Maran, Edward Cooper, Jack Pennick, Barbara Denny, Mimi Doyle, Mural Sharada, Douglas Gordon, Phyllis Clare, Michael Field, Lionel Pape.

**'KENTUCKY MOONSHINE,'** produced by Kenneth Macgowan; directed by David Butler; screen play by Art Arthur and M. M. Musselman; original by M. M. Musselman and Jack Lait, Jr.; music and lyrics by Lew Pollack and Sidney D. Mitchell; photographed by Robert Planck. Cast: Ritz Brothers, Tony Martin, Marjorie Weaver, Wally Vernon, William Demarest, Claude Allister, Slim Summerville, John Carradine, Berton Churchill, Eddie Collins, Paul Stanton, Francis Ford, J. Edward Bromberg, Si Jenks, Olin Howland, Mary Treen, Guy Wilkerson, Frank McGlynn, Jr., Cecil Cunningham, Jack Norton, Allen Wood, Arthur Aylesworth, Paddy O'Flynn, Jack Gargan, Lester Dorr, Walter Maher, Sherry Hall, Dick French, Milton Kibbee, Dorothy D'Arcy Corrigan, Carroll Nye.

**'JOSETTE,'** produced by Gene Markey; directed by Allan Dwan; screen play by James Edward Grant; based on play by Paul Frank and Georg Fraser; from story by Ladislaus Vadnai; photographed by John Mescall. Cast: Simone Simon, Don Ameche, Robert Young, Bert Lahr, Joan Davis, Tala Birell, Paul Hurst, Jayne Regan, Lillian Porter, Paul McVey, Zeffie Tilbury, William Collier, Sr.

**'ALEXANDER'S RAGTIME BAND,'** produced by Harry Joe Brown; directed by Henry King; screen play by Lamar Trotti and Kathryn Scola; adaptation by Richard Sherman; music and lyrics by Irving Berlin; photographed by Peverell Marley. Cast: Tyrone Power, Alice Faye, Don Ameche, Ethel Merman, Jack Haley, Marjorie Weaver, Jean Hersholt, Helen Westley, John Carradine, Douglas Fowley, Chick Chandler, Paul Hurst, Wally Vernon, Eddie Collins, The King's Men, Stanley Andrews, Jack Pennick, Robert Gleckler, Donald Kerr, Don Barclay, Ruth Warren, the Cansinos, Ralph Dunn, Otto Fries, Harry Tyler, Sid Saylor, Ruth Terry, Dixie Dunbar, The Aristocrats, Joe King, Charley Williams, Joseph Crehan, Tyler Brooks, Albert Morin, Selmer Jackson, Grady Sutton, and drum majorettes: Ruth Gifford, Marjorie Woodworth, Betty Brown, Jetsy Posthuma, Betty Garrison, Barbara Finch, Rosalie Wilson, Jeanne Le Boeuf.

**'LITTLE MISS BROADWAY,'** produced by David Hempstead; directed by Irving Cummings; original screenplay by Harry Tugend and Jack Yellen; photographed by Arthur Miller. Cast: Shirley Temple, Gloria Hurst, Jimmy Durante, Phyllis Brooks, George Murphy, Patricia Wilder, Donald Meek, El Brendel, Jane Darwell, Edward Ellis, Brewster Twins, Eddie Collins, George and Olive Brasno, the Brian Sisters, Charley Williams, Edna Mae Oliver, George Barbier, Claude Gillingwater, C. Montague Shaw, Rube Schaefer troupe, Jack Schaller, Frank Dae, Russell Hicks, Joseph De Stefani, Leila McIntyre, Jerry Colonna, Syd Saylor, Harry C. Bradley, Tom Ricketts, Roy Dove.

**'SPORTING CHANCE,'** formerly titled **'RACING BLOOD,'** produced by Jerry Hoffman; directed by Otto Brower; screen play by Robert Ellis and Helen Logan; based on original by Edwin Dial Torgerson; photographed by Edward Snyder. Cast: Michael Whalen, Lynn Bari, Marvin Stephens, Henry Armetta, Sidney Blackmer, Chick Chandler, Johnnie Pirrone, Inez Palange, Eleanor Virzie, Ben Stilphen, Betty Greco, Dennis Moore, Eddie Emerson.

### 20th-Fox Pictures Now in Production

**'MYSTERIOUS MR. MOTO,'** produced by Sol M. Wurtzel; directed by Norman Foster; original screen play by Philip MacDonald and Norman Foster; photographed by Virgil Miller. Cast: Peter Lorre, Mary Maguire, Henry Wilcoxon, Harold Huber, Erik Rhodes, Leon Ames, John Rogers, Fredrik Vogeding, Forrester Harvey, Mitchell Lewis, Barney O'Toole.

**'THREE BLIND MICE,'** produced by Raymond Griffith; directed by William A. Seiter; no writing credits as yet released; photographed by Ernest Palmer. Cast: Loretta Young, Joel McCrea, David Niven, Stuart Erwin, Marjorie Weaver, Pauline Moore, Binnie Barnes, Spencer Charters, Iva Stewart, Lloyd Whitlock, Leonid Kinskey.

**'I'LL GIVE A MILLION,'** produced by Kenneth MacGowan; directed by Walter Lang; screen play by Niven Busch; photographed by Lucien Andriot. Cast: Warner Baxter, Peter Lorre, John Carradine, J. Edward Bromberg, Sig Rumann, Fritz Feld, Marjorie Weaver.

**'TIME OUT FOR MURDER,'** formerly titled **'HANDLE ITH CARE,'** produced by John Stone; directed by Eugene Forde; no writing credits as yet released; photographed by Harry Davis. Cast: June Lang, ick Baldwin, Andrew Tombes, Sidney Toler, J. Edward Bromberg, Marjorie Weaver.

**'HANDLE WITH CARE,'** produced by John Stone; directed by Eugene Forde; no writing credits as yet released; photographed by Harry Davis. Cast: June Lang, Dick Baldwin, Andrew Tombes, Sidney Toler, J. Edward Bromberg, Lyle Talbot, William Demarest, Harlan Bri s, Jan Duggan, Frank McGlynn, Jr.

**'HELLO, HOLLYWOOD,'** John Stone, associate producer; directed by Herbert I. Leeds; screen play by Frances Hyland and Albert Ray from original idea by Frank Fenton and Lynn Root; photographed by Edward Cronjager. Cast: Jane Withers, Gloria Stuart, Henry Wilcoxon, Helen Westley, Claudia Coleman, Robert Allen, Pedro de Cordo . Paula Rae Wright, the Three Nelsons, Hattie McDaniel, Muriel Kearney, Marjorie Plecher.

## United Artists

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Samuel Goldwyn | 6 | 6 | 0 | 0 | 0 | 6 |
| Alexander Korda | 6 | 3 | 0 | 0 | 3 | 6 |
| Selznick | 5 | 3 | 0 | 0 | 2 | 4 |
| Walter Wanger | 8 | 3 | 1 | 1 | 3 | 5 |
| Chaplin | 1 | 0 | 0 | 0 | 1 | 1 |
| London Fil | 6 | 6 | 0 | 0 | 0 | 8 |
| Total | 32 | 21 | 1 | 1 | 9 | |

**Pictures in the Cutting Room or Awaiting Previews Are:**

**'THE ADVENTURESS,'** formerly titled **'THE RIVER IS BLUE,'** produced by Walter Wanger; directed by William Dieterle; original screen play by

(Continued on page 23)

# '38-'39 Planning

(Continued from page 3)

instead of all at once, leaving matters somewhat open for planning ahead. The situation may mean, as it is understood it will in some cases, that exhibitors will be asked to award contracts, although less than 50% of the pictures are designated.

While this past season ('37-'38) a larger number of films were placed in the top allocation, fewer being in the middle and bottom brackets, it is expected this year that there will be considerable revision in the grouping. Not only is it likely that this will occur, due to conditions and uncertainty, but in consi eration of the fact that during the current year distributors have had to agree to a lot of 'recission'; in other words, moving pictures from a higher to a lower bracket after they had failed to live uo to the rating under which sold. Percentages last year averaged 35-40%, 30% and 25%, with not as many flat deals as the season before. Whether the same percentage averages will be obtained for next year is another guess of any distributor right now, although none were satisfied that they didn't get higher rental terms last summer in view of costs.

Studio unrest, the effort to cut these costs down, yet retain quality, and the job of trying to determine in the spring what the public is going to go for from August next through to August, 1939, aren't making the lot of producer-distributors any easier. In some cases the whole problem is intensified by worry over whether the present producing forces represent a good guarantee on manufacture or not. The theatres are also worrying about these matters, especially where they are dependent on certain studios for the bulk of their product supply.

Any way figured, at the moment there is a record amount of heavy guessing and crossed-fingers.

# Comm'ls Hurt

(Continued from page 1)

prize competition on the Dorsey networker.

Result was that everybody seemed to save up for the Wednesday night show, when Stanley could have used twice its own capacity. Thousands were turned away at the door night of broadcast, but, as was to be expected, they didn't hang around for regular stage show to follow or come back on succeeding days. Gross on that one day alone represented more than 25% of Dorsey's total take on week and management wonders if original plan to have broadcast originate from William Penn's ballroom, with limited seating capacity of couple of hundred, wouldn't have been better all around.

George Jessel-Norma Talmadge-Tommy Tucker unit coming in Friday ( ) but will be playing in WB house in Steubenville, O., on Sunday, day of their broadcast, Stanley attractions always playing there, since this is still six-day town for flesh. Inasmuch as the show is there only for the single day, broadcast will originate from stage of Capitol theatre in the form of an extra show, apart from the three regularly scheduled presentations.

# U. S.-Canada Boom

(Continued from page 1)

one of Canada's major Industries, exports of wheat and lumber being about the only commerce bringing an equal or greater sum into the country. Last year the tourist trade amounted to approximately $250,000,000 with a total of $300,000,000 or more expected this year.

In the Province of Quebec the tourist business in 1937 amounted to $77,020,068, the gross being greater than during the previous record years of 1928 and 1929. According to Provincial estimates close to 450,000 American cars visited this part of the Dominion.

Automobile tourists account for the greatest part of the influx, 70% of the total spent here being attributed to these.

Road-building and repairs [illegible] being undertaken on a gigantic scale this year by both the Quebec and Ontario provincial governments, with approximately $25,000,000 being scheduled for appropriation in these two provinces alone.

An effort is being made to model new roads along the lines of [illegible] in the U. S. A.

# That "Certain Something" That Makes a Good Picture GREAT!

***You can't put your finger on it . . . You can't describe it . . . You can't analyze it . . . and you can't mistake it! . . . All of the pictures that have had it were big money-makers. This one has it — PLUS — enough so to make it one of the biggest extra-time attractions this season!***

**GINGER ROGERS**
**JAMES STEWART**

# Vivacious Lady

*with*
**JAMES ELLISON**
**BEULAH BONDI**
**CHARLES COBURN**

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
A GEORGE STEVENS PRODUCTION

Screen Play by
P. J. Wolfson and Ernest Pagano

RKO RADIO

# *Advance Production Chart*

(Continued from page 21)

John Howard Lawson; photographed by Rudolph Mate. Cast: Henry Fonda, Madeleine Carroll, Leo Carrillo, John Halliday, Vladimir Sokoloff, Robert Warwick, Reginald Denny, Katharine DeMille, Peter Godfrey, William B. Davidson, Harry Semels, Carlos De Valdez, Paul Irving, George Lloyd, John Picorri, George Houston, Nick Thompson, Lupita Tovar, Fred Kohler, Rosina Galli.

**United Artists Pix Now in Production**

**'ALGIERS,'** produced by Walter Wanger; directed by John Cromwell; screen play by John Howard Lawson from Detective Ashiebe's 'Pepe le Moko'; additional dialog by James Cain; photographed by James Wong Howe. Cast: Charles Boyer, Hedy LeMarr, Sigrid Gurie, Alan Hale, Joseph Calleia, Gene Lockhart, Stanley Fields, Joan Woodbury, Johnny Downs, Bert Roach, Ben Hall, Claudia Dell, Charles D. Brown, Nina Koshetz.

## Universal

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Total | 50 | 33 | 4 | 4 | 9 | 13 |

**Pictures in the cutting rooms or awaiting previews:**

**'LADY IN THE MORGUE,'** produced by Irving Starr; directed by Otis Garrett; screen play by Eric Taylor and Robertson White from novel by Jonathan Latimer; photographed by Stanley Cortez. Cast: Preston Foster, Patricia Ellis, Frank Jenks, Joseph Downing, Al Hill, James Robbins, Stanley Price, Gordon Hart, Tom Jackson, Minerva Urecal, Rollo Lloyd, Morgan Wallace, Gordon Elliot, Bryant Burke, Corbet Morris, Ruth Fallows, Donald Kerr.

**'SINNERS IN PARADISE,'** produced by Ken Goldsmith; directed by James Whale; screen play by Harold Buckley, Louis Stevens and Lester Cole; original by Harold Buckley; photographed by George Robinson. Cast: John Boles, Madge Evans, Bruce Cabot, Marion Martin, Gene Lockhart, Nana Bryant, Willie Fung, Milburn Stone, Morgan Conway, Donald Barry, Charlotte Wynters, Allen Edwards, Donald Kerr.

**'FLAMING FRONTIERS'** (serial), produced by Henry MacRae; directed by Ray Taylor and Alan James; screen play by Wyndham Gittens, George H. Plymton, Basil Dickey and Paul Perez, from Peter B. Kyne's 'The Tie That Binds'; photographed by Jerry Ash. Cast: Johnny Mack Brown, Eleanor Hansen, Charles Middleton, Eddy Waller, James Blaine, Horace Murphy, Roy Barcroft, Ralph Bowman, John Rutherford, Ed Cassidy, William Royle, Charles King, Karl Hackett, Charles Stevens, Chief Thunder Cloud, Ralph Bowman, Michael Slade, Jim Farley, Jim Corey, Pat O'Brien, Bob Woodward, George Plues, Jack Saunders, Frank Straubringer.

**'AIR DEVILS,'** formerly titled **'THE FIGHTING MARINES,'** produced by Trem Carr; directed by John Rawlins; screen play by Harold Buckley and George Waggner; original by Harold Buckley; photographed by Harry Neumann. Cast: Dick Purcell, Beryl Wallace, Larry Blake, Mamo Clark, Minerva Urecal, Charles Brokaw, Forbes Murray, Roy Mason, Paul Sutton, Al Kikume, Billy Wayne, Michael Visaroff.

**Universal Pix Now in Production**

**'HELL'S KITCHEN,'** formerly titled **'RIOT PATROL,'** formerly titled **'HELL'S KITCHEN HAS A PANTRY,'** produced by Edmund Grainger; directed by Ray McCarey; screen play by Roy Chanslor from original by Borden Chase; photographed by Milton Krasner. Cast: Victor McLaglen, Paul Kelly, William Gargan, John Gallaudet, Beatrice Roberts, Joe Downing, Frank Jenks, Ed Gargan, Scotty Beckett, Mickey Rentschler, Dickie Jones, Tommy Bupp, Juanita Quigley.

**'THE RAGE OF PARIS,'** produced by B. G. De Sylva; directed by Henry Koster; original story and screen play by Bruce Manning and Felix Jackson Koster photographed by Joseph Valentine. Cast: Danielle Darrieux, Douglas Fairbanks, Jr., Mischa Auer, Helen Broderick, Louis Hayward, Mary Forbes, Joyce Bryant, Howard Hickman, Harry Davenport, Ethelreda Leopold, Mitzi Vehlain, Vivian Mason.

**'LETTER OF INTRODUCTION,'** produced and directed by John M. Stahl; no writing credits as yet released; photographed by Karl Freund. Cast: Adolphe Menjou, Edgar Bergen and 'Charlie McCarthy,' George Murphy, Andrea Leeds, Rita Johnson, Eve Arden, Ann Sheridan, replacing Gail Patrick, Donald Barry, Phillip Trent, Ernest Cossart, May Boley.

**'SUSPICION,'** produced by Edmund Grainger; directed by James Whale; screen play by Myles Connolly; photographed by George Robinson. Cast: Warren William, Gail Patrick, Constance Moore, William Lundigan, Lillian Yarbo.

## Warners

| | Number of Pix Promised | Number Completed | Now Shooting | Now in Cutting Rooms | Balance to Be Placed Before Cameras | Stories in Preparation |
|---|---|---|---|---|---|---|
| Total ............ | 60 | 40 | 2 | 14 | 4 | 18 |

**Pictures in the cutting rooms or awaiting previews are:**

**'MYSTERY HOUSE,'** formerly titled **'MYSTERY OF HUNTING'S END,'** produced by Bryan Foy; associate, Gordon Hollingshead; directed by Noel Smith; original story by Mignon G. Eberhart; screen play by Sherman Lowe; photographed by L. William O'Connell. Cast: Dick Purcell, June Travis, Elspeth Dudgeon, Anthony Averille, Ben Weldon, Mary Maguire, William Hopper, Anderson Lawlor, Sheila Bromley, Hugh O'Connell, Trevor Bardette, Dennie Moore.

**'TORCHY BLANE IN PANAMA,'** produced by Bryan Foy; directed by William Clemens; screen play by George Bricker; original story by Anthony Coldeway; photographed by Warren Lynch. Cast: Paul Kelly, Lola Lane, Hugh O'Connell, James Nolan, Larry Williams, Tom Kennedy, Frank Shannon, John Ridgeley, Anthony Averill, Frank Orth, Jack Goodrich, Betty Compson, Joe Cunningham, George Guhl, Jimmy Conlon, George Lloyd, George Regas, John Harron, Jack Mower.

**'THE ADVENTURES OF ROBIN HOOD'** (in Technicolor); produced by Henry Blanke; directed by Michael Curtiz and William Keighley; original screen play by Norman Reilly Raine and Seton I. Miller; photographed by Tony Gaudio. Cast: Errol Flynn, Olivia de Havilland, Ian Hunter, Claude Rains, Basil Rathbone, Patric Knowles, Alan Hale, Eugene Pallette, Melville Cooper, Herbert Mundin.

**'SECRETS OF AN ACTRESS,'** formerly titled **'WOMAN HABIT,'** formerly titled **'LOVELY LADY,'** produced by David Lewis; directed by William Keighley; original screen play by Rowland Leigh, Milton Krims and Julius Epstein; photographed by Sid Hickox. Cast: Kay Francis, George Brent, Ian Hunter, Gloria Dickson, Isabel Jeans, Dennie Moore, Gloria Blondell, Rosella Towne, John Ridgeley, Penny Singleton, Larry Williams, Selmer Jackson, Herbert Rawlinson, Emmet Vogan, James B. Carson, Grace Hayle, Marion Alden, Paulette Evans, Eddie Graham, Stuart Holmes, Jack Goodrich, Arthur Houseman, Jack Mower, Olaf Hytten, John Harron.

**'WHEN WERE YOU BORN?'** produced by Bryan Foy; directed by William McGann; original screen play by Dr. Manley P. Hall and Anthony Coldeway; photographed by L. William O'Connell. Cast: Anna May Wong, Margaret Lindsay, Lola Lane, Anthony Averill, Larry Williams, Charles Wilson, Frank Jaquet, James Stephenson, Eric Stanley, Maurice Cass, Leonard Mudie, Olin Howland, Jeffrey Lynn, John Ridgeley, John Harron, Ben Hendricks, Gordon Hart, Jack Mower, Sidney Bracey.

**'GOLD DIGGERS IN PARIS,'** produced by Sam Bischoff; directed by Ray Enright; original screen play by Jerry Wald, Richard Macauley and Maurice Leo; photographed by Arthur Todd. Cast: Rudy Vallee, Rosemary Lane, Hugh Herbert, Allen Jenkins, Melville Cooper, Frank McHugh, Johnnie Davis, Mabel Todd, Fritz Feld, Curt Bois, Eddie Anderson, Edward Brophy, Murray Alper, Pedro de Cordoba, Alphonse Martel, Rosella Towne, Janet Shaw, Carole Landis, Diana Lewis, Peggy Moran, Rafael Corio, Gloria Dickson, Jeffrey Sayre, Evelyn Thawl, Charles De Ravenne.

**' HITE BANNERS,'** produced by Henry Blanke; directed by Edmund Goulding; screen play by Leonora Coffee from the Lloyd Douglas novel; photographed by Charles Rosher. Cast: Claude Rains, Fay Bainter, Bonita Granville, Edward McWade, James Stephenson, Frank Darien, Frank Sullivan, Cliff Saum, Jackie Cooper, Donald Crisp, Kay Johnson, Sally Anne, Jack Mower, Lola Cheaney, Vera Lewis, Lottie Williams, Tom Wilson, Stuart Holmes, Glen Cavender, Jean Benedict, J. Farrell MacDonald, Douglas Wood, Al Lloyd, Alice Lynden, Rex Evans, Peggy Stewart, Henry O'Neill.

**'FOUR'S A CROWD,'** formerly titled **'ALL RIGHTS RESERVED,'** produced by David Lewis; directed by Michael Curtiz; screen play by Casey Robinson; photographed by Ernest Haller. Cast: Rosalind Russell, Errol Flynn, Olivia de Havilland, Walter Connolly, Spec O'Donnell, Dennie Moore, Franklin Pangborn, Ward Bond, Joseph Crehan, Joe Cunningham, Lawrence Grant, Gloria Blondell, Carole Landis, Frank Coghlan, Jr., Al Herman, Edward McWade, Arthur Hoyt, Robert Warwick, Frank Jacquet, Stuart Holmes, William Haade, Maurice Cass, Charles Judels, Patric Knowles, Pat West, Frank Faylen, Carol Hodgins, Sam McDaniels, Don Barclay, Herman Bing.

**'COWBOY FROM BROOKLYN,'** formerly titled **'DUDE RANCHER,'** produced by Lou Edelman; directed by Lloyd Bacon; screen play by Earl Baldwin from play by Louis Pelletier, Jr., and Robert Sloane; photographed by Arthur Edeson. Cast: Dick Powell, Priscilla Lane, Pat O'Brien, Dick Foran, Ann Sheridan, Ronald Reagan, Hobart Cavanaugh, Emma Dunn, Granville Bates, Grace Hayle, Dennie Moore, Roselle Towne, James Stephenson, Harry Barris, Candida, Kay Johnson, Cliff Saum, Dorothy Vaughn, Sam Hayes, May Boley, Johnnie Davis, Jimmy Fox, Elizabeth Risdon, Jack Moore, James Nolan, William Davidson, Franklin Farnum, Joe Hiestand, Ben Hendricks, Everett Vogan.

**'LITTLE MISS THOROUGHBRED,'** formerly titled **'LITTLE LADY LUCK,'** produced by Bryan Foy; directed by John Farrow; original screen play by Albert DeMond and George Bricker; photographed by L. William O'Connell. Cast: Ann Sheridan, John Litel, Frank McHugh, Janet Chapman, Robert Homans, Eric Stanley, Jean Benedict, Maureen Rodin-Ryan, Lottie Williams, James Nolan, Vera Lewis, John Ridgeley, Walter Murray, William Gould, Stuart Holmes, Jack Mower, William Murray, Laura Jean Williams, Charles Wilson, Donald Brian, Spec O'Donnell, Paul Everton, Eddie Graham, Gordon Hart.

**'CRIME SCHOOL,'** produced by Bryan Foy; directed by Lew Seiler; original screen play by Crane Wilbur; photographed by Arthur Todd. Cast: Humphrey Bogart, Gale Page, 'Dead End' Boys, Paul Porcasi, Helen MacKellar, Dick Purcell, Weldon Heyburn, James B. Carson, Sybil Harris, Harry Cording, Charles Foy, Al Bridge, Cy Kendall, Vera Lewis, Milburn Stone, Alan Davis, Cliff Saum, Tom Wilson, Henry Otho, Jack Mower, Charles Trowbridge, Melville Cooper, Joseph Crehan, Don Turner, Ethan Laidlaw, Joe Cunningham, Frank O'Connor, Jack Goodrich, Bobby Jordon.

**'THE AMAZING DR. CLITTERHOUSE,'** produced by Robert Lord; directed by Anatole Litvak; screen play by John Wexley and John Huston; from play by Barre Lyndon; photographed by Tony Gaudio. Cast: Edward G. Robinson, Claire Trevor, Humphrey Bogart, Allen Jenkins, Gale Page, Donald Crisp, Maxie Rosenbloom, Curt Bois, Bert Hanlon, Ward Bond, Vladimir Sokoloff, Robert Homans, Romaine Callender, Winifred Harris, Donald Briggs, Libby Taylor, Mike Lally, Frank Anthony, Joyce Williams, William Worthington, Edward Mortimer, Larry Steers, Edward Gargan, Thomas Jackson, Georgie Cane, Lola Chancy, Mary Fields, William Haade, Irving Bacon, Vera Lewis, Bruce Mitchell.

**'BOY MEETS GIRL,'** produced by Sam Bischoff; directed by Lloyd Bacon; screen play by Sam and Bella Spewack from their play; photographed by Sol Polito. Cast: James Cagney, Ralph Bellamy, Marie Wilson, Pat O'Brien, Penny Singleton, Frank McHugh, Dennie Moore, Dick Foran, John Ridgeley, Harry Seymour, Bert Hanlon, Otto Fries, Bruce Lester, George Hickman, Cliff Saum, William Haade, Clem Bevans, Hal K. Dawson, Peggy Moran, Janet Shaw, John Harron.

**'MR. CHUMP,'** produced by Bryan Foy; directed by William Clemens; screen play by George Bricker and N. W. Hanneman; photographed by Arthur Edeson. Cast: Johnny Davis, Lola Lane, Penny Singleton, Donald Briggs, Larry Williams, Chester Clute, Margaret Lindsay, Jane Bryan, Spencer Charters.

**Warners Pix Now in Production**

**'IN EVERY WOMAN'S LIFE,'** formerly titled **'MY BILL,'** produced by Bryan Foy; directed by John Farrow; no writing credits as yet released; photographed by Sid Hickox. Cast: Kay Francis, Anita Louise, Dickie Moore, Bonita Granville, Bobby Jordan, Elizabeth Risdon, Maurice Murphy, Henry Otho, Pat O'Malley, Bernice Pilot, Sidney Bracy.

**'GARDEN OF THE MOON,'** produced by Lou Edelman; directed by Busby Berkeley; screen play by ichard Macauley and Jerry Wald from the SatEvePost serial by H. Bedford Jones and John Barton; photographed by Tony Gaudio. Cast: Pat O' rien, John Wayne, Margaret Lindsay, Jimmy Fidler, Johnnie Davis, Melville Cooper, Isabel Jeans, Curt Bois, Granville Bates, Penny Singleton, Rosella Towne, Joe Venuta, Ray Mayer, Jerry Colonna, John Hiestand, Jack Mower, John Harron.

## *Conga Craze*

(Continued from page 1)

ing until they can figure out tags that won't conflict with those on file with the registration bureau of the Music Publishers Protective Association.

Southern Music Co. got to the title registration bureau first with 'La Conga' and Jack Mills labeled his number, co-authored by Edward Lambert and Stephen Richards, 'Do the Conga,' after he found that the word 'La' had been preempted. Shapiro, Bernstein & Co. changed titles on a like rhythm number for the same number. What had originally been called 'Danse a La Conga' became 'Ponchito.'

Dance fad involved involves a rhythm whose tempo is more feverish than the rhumba. Steppers skilled in the rhumba have taken it up. The 57th Street cafe, La Conga, is credited with popularizing the dance among the smart niterie element.

## Recover Proffitt's Body

Philadelphia, April 19.

Body of Tommy Proffitt, Universal newsreel cameraman, was pulled out of the Susquehanna River Monday (18), four weeks after he was drowned. Proffitt was taking pix on 'Last Raft,' sentimental journey down the river in remembrance of old logging days, when the crude vessel struck a bridge and sank. Lenser's body was found 17 miles from scene of the crash.

Proffitt was said by survivors to have been cranking his camera until the moment he went down.

## Jane's Texan Delayed

Hollywood, April 19.

Jane Withers' next picture, 'Texas Kid,' slated to roll in May, has been moved back to autumn by 20th-Fox.

Moppet's work in 'Hello, Hollywood,' now in production, caused the postponement of the new film, which will require a trip to Texas.

## CUMMINS LOSES SUIT OVER AUSTRO 'SEX' PIC

Injunction suit brought by Sam Cummins and his Jewel Productions Corp., to stop Henry Morgenthau, Jr., Secretary of the Treasury, and Harring M. Durning, Collector of Customs, from interfering with the production of the Austrian-made picture, 'Mystery of Sex,' later renamed 'Science of Mankind' was dismissed Monday (18) by N. Y. federal Judge Albert C. Coxe.

Cummins obtained the American rights to the picture in 1935 under the title 'Mystery of Sex.' The first negative arrived here under the title 'Science of Mankind' and was passed by the Customs Department. Exhibition of the picture, however, was delayed until the Government officials could view it. When a second negative arrived it was siezed and the Customs agents made several efforts to get possession of the official print. Their persistence resulted in the present suit for an injunction.

## 2 Theatre Fires

St. Louis, April 19.

About 150, majority of them ki , fled in panic from the second floor Opera House, film theatre at Potomac, Ill., near here, Saturday (15) when a film ignited and exploded. One customer, Mrs. Floyd Allen, of Potomac, jumped from a second floor window and suffered cuts and bruises. Earl Alpers, projectionist, of Danville, Ill., suffered burns on his arms and hands.

Volunteer firemen and other natives using portable fire extinguishers obtained from homes and stores extinguished the blaze. Damage was slight.

Cleveland, Okla., April 19.

Screen and sound equipment of the recently opened Pix theatre here were slightly damaged by fire originating from an undetermined origin. Flames appeared to have started under the stage.

## PAR'S PHILLY OUT; LONDON?

Philadelphia, April 19.

Percy Bloch, Paramount district manager here, is reported out, although the exchange refuses any official confirmation. Exec, however, is no longer in his office and is understood to have bid his force farewell. He also told several exhibs that he is through.

Nevertheless, at the Par convention last week—desipte Bloch's absence—other execs took great pains to announce that there would be no changes in the selling organization. Par's attitude on the matter, when it is generally known on the street that Bloch is through, has the exhibs scratching their scalps.

Bloch was with Par 18 years, six of them as district manager here. Economy understood to be reason for his slice from the payroll as he only had two offices in his district and was reported in $15,000 a year bracket.

London, April 19.

There may be a reshuffling of fil sales division and theatre department for Paramount in Great Britain in the next few weeks, according to persistent reports in the trade. J. C. Graham, managing director for England, denies knowledge of contemplated changes. Arrival of John W. Hicks, Jr., foreign sales head, in the next week or 10 days, doubtlessly will tell the story.

Paramount home office knows of no change being contemplated in England.

## Depinet Drive's Final Push; Execs Sales Swing

Jules Levy, RKO's general sales manager, and Walter Branson of the distribution division who is captain of the present Ned Depinet sales drive, will not return from a swing of exchanges for about 30 days. The h.o. executives were in Toronto Monday (18), and from there proceed westward through Detroit, Cleveland, Cincinnati, Indianapolis, St. Louis, Kansas City, Des Moines and Omaha.

Levy made a few exchange stops after the Depinet dinner in Dallas recently. Depinet drive ends May 13.

## Rogers Drive Starts

Third annual Will Rogers National Theatre Week starts April 29. 'Auld Lang Syne,' film made by Warners and including Paul Muni, Rudy Vallee, Benny Goodman and Dick Powell, among others, will be shown simultaneously in all houses operated by Paramount, RKO, Fox, Loew and their subsidiaries in addition to large indie circuits. Enormous quantity of film needed for prints to service so many houses at the same time was supplied gratis by Eastman-Kodak and Dupont-Pathe.

Funds will go chiefly to the Will Rogers Memorial Hospital at Saranac Lake, N. Y. Part of the money raised in California is to be divided with the Red Cross for the benefit of flood victims in that state.

## *New Tracks*

(Continued from page 1)

which was owned by Socony-Vacuum of N. J. Pegasus Club, socialite horsey organization, already owns plenty of acreage whereon ar its polo fields, etc.

Idea is for the Jersey track to buck the Saratoga August racing meet, and be ready for public use this year.

S. A. Lynch, veteran theatre operator in Miami, is building a racetrack less than 20 miles north of Miami Beach at Hallandale. Construction is so planned that the trac may be ready for next winter.

Lynch is reported investing $1,700,000 in the project. In addition to his theatre inter sts in southern Florida, he owns several hotels.

Joel Hurt, who has been supervising Lynch's hotel operations, and with Lynch when latter was in Paramount, is in charge of the building of the racing track. Lynch's new track will give Mi and vicinity three race courses.

# A GLORIOUS CAMPAIGN FOR...

# A *Glorious* CAUSE...

"GOD BLESS US ALL" SAID TINY TIM.
RAPHAEL G. WOLFF

**HELPING THE HELPLESS**

collections go for the future support at the WILL ROGERS MEMORIAL HOSPITAL, Saranac Lake, N. Y. for its kindred philanthropies, maintained for the tubercular of stage and screen, and for the aid of handicapped children throughout the country.

★

**ON BEHALF OF THE MOTION PICTURE INDUSTRY WARNER BROS. TAKE PRIDE IN PRESENTING A**

## TRIBUTE TO WILL ROGERS

# "AULD LANG SYNE"

**PAUL MUNI · JAMES CAGNEY DICK POWELL** and his Cowboy Octette **· BENNY GOODMAN** and his SWING Band **· RUDY VALLEE**

★

**DAY AND DATE RELEASE, WEEK BEGINNING APRIL 29th**

## WILL ROGERS NATIONAL THEATRE WEEK

Major L. E. Thompson, *Chairman*

SPONSORED BY THE MOTION PICTURE INDUSTRY FOR THE WILL ROGERS MEMORIAL COMMISSION

*Prints Gratis* TO ALL THEATRES REMITTING AUDIENCE COLLECTIONS

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DES MOINES..
DETROIT.............
INDIANAPOLIS........
JACKSONVILLE......
KANSAS CITY
LOS ANGELES.......
MEMPHIS

# EXPLOITATION :-: By Epes W. Sargent

### His Best Bet

Frank Wallace, Mae West's ex, opening at Newark night club, using the following publicity for engagement here with Trixie La May in dance act:

'OPEN LETTER TO MAE WEST

'Dear Wife:

'When I opened at the Club Miami, 118 Clinton avenue, Newark, N. J., last Wednesday night in a dance act with Trixie La May, I expected you to call Bigelow 2-9191 (that is the Club Miami) and have the management send a car over to New York to bring you to Newark to see the show.

'But, Honey, as it was your first day in New York, I believe you were tired and busy.

'But the offer still stands, and if you can get over you will see a fine show, including Gene Baylos, as master of ceremonies; Bobbie Trotter, a fine swing singer; Rosalie Lane, a thrilling dancer; Hank Moore, a sensational acrobatic dancer, and others.

'Listen, dear. Get over for the first show at 11:15 p. m., and, if you can't, the second show is 1:30 a. m. Loads of luck on your theatre engagement in New York.

'Your ever loving husband,

'(Signed) Frank Wallace.'

Ran in the dailies. Nice example of poor taste.

### Flowery Bird

Hollywood.

Exhibs who play Paramount's 'Tropic Holiday' will get the bird from the studio, but it will be a fragrant one. Just ahead of playing time each theatre head will receive a bouquet of Bird of Paradise blossoms with a tag from Dorothy Lamour, star of the picture. It's a p. a. gag.

### Spotting the Pooch

New Haven.

Bob Russell and Jack Foxe have been pulling at least one a week out of the bag for exploitation plugs at Poli's. For 'Bringing Up Baby' it was a man-sized pooch made up to resemble a leopard and being paraded through central streets on a chain.

As a 'gold' angle on 'Girl of Golden West' a store window tiein showed a container of new pennies, with Oakleys for nearest estimate to number of them. Major plug on 'First 100 Years' was an air interview with 102-year-old woman who was transported to a studio via wheelchair.

### For Veterans

Charlotte, N. C.

Under the auspices of the Salisbury Post and the Capital theatre, golden wedding couples were entertained three days last week.

They were the guests of the Post and the Capital at the showing of 'You're a Sweetheart.' Those qualified to accept this invitation were guests of the sponsors upon presentation of a coupon, carried in the Post a number of times, at the theatre's box office.

A local bakery contributed a Golden Wedding cake for the event and this was awarded to the oldest couple during the week.

### Sirens for 'Wall'

Norfolk, Va.

Norva theatre went in for the spectacular in its build-up of Warden Lawes' 'Over the Wall.' Sirens were hooked up on the rear walls of the house and let fly at 10 p.m. Three men jumped into action with scaling ladders.

Hundreds of persons in the neighborhood were caught unawares by the shrieking of the sirens and dashed to the spot. The stunt influenced the b.o. that night to a marked degree.

### Flashing 'Flash'

Toronto.

A tie-up has been arranged between Famous Players Canadian and The Toronto Star Weekly in connection with the 'Flash Gordon' pic strip, opening at the Uptown theatre in Toronto on Good Friday.

A trailer on the pix, which will shortly have general distribution throughout the Dominion, directs attention to the 'Flash Gordon' comic, now appearing in The Star Weekly's comic section. In return, The Star Weekly is boosting the film on the 'Flash Gordon' comic page and in the general section with news picture layouts on 'Flash Gordon.'

### WB Airer

Pittsburgh, April 19.

Although ostensibly a studio presentation, daily 10-minute 'Movie Magazine of the Air' on KDKA, is strictly a WB promotion. Idea was broached to station manager A. E. Nelson by Joe Feldman, advertising director for Warners here, some time ago and for an immediate acceptance.

Spieling is done by Jack Crane, Feldman's office boy, who won out in a competition with more than 60 prospects, and is run off like a fan magazine, with front cover going to outstanding screen personality, brief interviews, gossip, etc. Doesn't stick to WB pix entirely, however, because Warner houses here also play Par, RKO and MGM product, with program managing to get in plenty of plugging for attractions playing all of circuit's key spots.

It's the third free program Feldman has promoted for WB exploitation purposes on local stations. He has a weekly quarter-hour spot on WCAE every Friday afternoon, with Bob McKee interviewing stage celebrities current at Stanley, and a half-hour daily morning session of gossip and music from Enright theatre in East Liberty on WWSW. Latter is to hype attractions in nabe sites.

### Atmospheric

Detroit.

Joseph La Rose, manager of the Roosevelt nabe here, thought up a realistic effect for showing of 'Hurricane' (UA) at his spot.

Removed a pipe from the theatre organ, placed it against an outlet from the air-cooling system and arranged for drops of water to drip into the pipe.

Result was that when patrons are viewing the big storm in flicker, they're sprayed with a fine bit of wet wind, enough to get 'em in mood but not to soil or stain clothes.

La Rose hasn't decided what he'll do during fire scenes 'In Old Chicago.

### Ran All Night

Oklahoma City.

Box office of the Standard theatre was opened at 6 a. m. and remained open for 24 straight hours until 6 the following morning as pre-Easter preview of 'In Old Chicago.' Newspapers, handbills, 24-sheet and radio were used to invite patrons to the opening, with free breakfast offered between 6 and 8 o'clock opening day.

A fire truck was stationed in front of the house with a reproduction of an old Chicago newspaper recounting the fire pasted on its side. Red smoke drifted up from the marquee, furnishing the effect of the theatre itself burning.

## Theatres-Exchanges

Bridgeport.

Jack Sidney, new assistant to Manager Matt Saunders of Loew-Poli, Bridgeport, vice Allan Robbins, resigned.

St. Louis.

J. A. Becker, Independence, Mo., has let contract for razing of a building at Spring and Maple streets to erect new film theatre.

George Staples, East Prairie, Mo., was the successful bidder for the contract to reconstruct the Roxy, Mounds, Ill., at cost of $65,000. Theatre, managed by Herschel Eichorn, will be enlarged into 800-seater.

By majority of 272, Fulton, Mo., recently voted approval of Sunday pix, heretofore banned under blue law.

A soft ball league is being formed by employees of Fanchon & Marco's big houses. Clyde Brown, manager of the Missouri; Fletcher Buck, assistant manager of the St. Louis; John Neu, assistant manager of the Ambassador, and Lou Coyle, manager of the Fox, will direct the teams. Bill Hoppe will assemble a team composed of employees of the St. Louis Amus. Co. chain.

Robert Cluster, Salem, Ill., will soon let bids for 700-seater to be built at Metropolis, Ill.

Work will soon start on new 525-seater, Desloge, Mo., to be owned and managed by R. W. Corbin, who also owns the New Grand, 350 seats.

William Kucharo, Des Moines, awarded contract for $50,000 worth of improvements on theatre at Clarion, Ia., recently taken over by the Central States Theatre Corp. of Des Moines.

Charlotte, N. C.

Between 40 and 50 theatre and film exchange executives gathered at the Charlotte hotel April 8 to honor Burtus Bishop, Jr., who has been transferred to the managership of the Pittsburgh Metro-Goldwyn-Mayer exchange.

Bishop headed the Metro office in Charlotte for the past 10 years, and had been a resident of Charlotte for 12 years.

Denv

Dave Cockrill has shifted some of his managers following the resignation of Lloyd Kirby as manager of the Park. Ross Woolridge, from the Alpine, takes over the Park managership; John Echols, publicity manager from the Denham, is now managing the Plaza, and Joe Gundy, from the Plaza, is now at the Alpine.

Tom Kerby is planning for the erection of a new theatre at Worland, Wyo., where he already owns the Elks theatre.

E. P. (Buzz) riggs, manager of the State, has resigned after 10 years on the job. He is succeeded by M. J. Baranco of N. Y.

# PITT DAILIES TABU 'SEX MADNESS' ADS

Pittsburgh, April 19.

All three Pittsburgh newspapers yesterday refused to accept further advertising from or give any publicity to stage-and-screen show called 'Sex Madness' at Casino. House, which started new policy week ago after dropping burlesque, had no trouble getting space during opening stanza of 'for men only' shows, but sheets later staged an investigation of their own and decided to invoke the ban.

Casino is operated by George Jaffe, vet Pittsburgh showman, and inaugural bill under what management calls 'policy of sex hygiene and instruction' consists of a feature-length flicker, 'False Shame,' and accompanying lecture by somebody billed as 'Radio's Friendly Adviser.' It's Jaffe's intention to change bills every fortnight, alternating between strictly stag and wholly femme audiences.

## Joe Seidelman's Foreign Appointees; Going West

Joseph H. Seidelman, vice-president of Universal, in charge of foreign, returned yesterday (Tues.) from Europe, where he has been on company business for around 10 weeks. He goes to the Coast for studio confabs within the next few days. Nate Blumberg, president of the company, as well as Matthew Fox, his aide, are on the Coast now. Seidelman, while in London, is understood to have been instrumental in closing a deal for new financing for Universal, under which around $1,000,000 is made available to the firm. Understood this is part of the money which went to pay off the Bank of America's $1,450,000.

[London talk was that the National Provincial Bank financed.]

While in Europe, Seidelman named William Jay as the company's representative in Great Britain. He formerly was RKO sales manager in England. Ernest Koenig is new manager of Universal, in France, replacing Andre Peres, resigned. Koenig, formerly was sales manager for 20th Century-Fox in France.

J. Weinrib is Universal's new manager for Poland, succeeding William Levy, resigned.

## RKO Reorg.

(Continued from page 3)

by counsel for the trustee, Irving Trust Co., showing net profits earned by the corporation in 1937 were over $600,000 below the 1936 figure. RKO's share out of K-A-O profits may run to $297,000. The profits for 1936 were $2,485,911.

Otto C. Doering, of counsel for Irving Trust informed Judge Bondy that a complete report on the corporation's finances for the past year would be ready within the next few days.

Doering submitted his brief financial statement, coincidental to the hearing on applications for interim allowances sought by Irving Trust and others for services in the reorganization proceedings. Irving Trust seeks an additional $60,000, and William J. Donovan, its counsel wants $85,000 more. Two others ask a total of $34,000 for their work. Judge Bondy reserved decision on the requests.

Hamilton C. Rickaby, counsel for the Atlas Corp., proponents of the reorganization plan first submitted, and who is working on a modified one, informed Judge Bondy that he hoped to have the new plan ready in time for the next hearing next Monday (25). He expressed his doubts, however, that it would be completed in time.

## Another Rockefeller

(Continued from page 1)

was with the Chase National Bank. Publicity firm for Greater New York Fund is being supervised by the John Price Jones outfit, which annually raises millions for various causes.

At press confab last week Rockefeller and Gaxton huddled with reporters to describe aims of charitable campaign. In discussing what might be done with an overflow crowd from the Garden rally, Rockefeller expressed the hope that some empty theatres might be contributed for the occasion. Without naming the Center, he remarked:

'I happen to know of one which might be available.'

# Film Reviews

## GO CHASE YOURSELF

(Continued from page 15)

awardly scotching the getaway efforts of the bandit trio with his antics. His wife (Lucille Ball) is after him as well as the cops who believe by the teller's absence that he stole the shekels. He tries to save an heiress (June Travis) from the fate of marrying a phoney count (Fritz Feld), whom her parents demand she wed. Penner abducts the girl, and that's deemed kidnaping. All gets straightened finally, with the teller becoming a hero by saving the money, his reputation, his wife, and also exposing the phoney count.

Without many good lines, Penner has to rely for most effect on mugging, and it proves fairly serviceable. His lamebrain character has the effect of redeeming the more screwy, imagination-stretching elements of the story. Miss Ball does excellently in a somewhat repressed role as his wife; Miss Travis has almost nothing to do as the heiress.

Almost stealing the picture, in a character late to arrive in the footage, is Fritz Feld, who has been coming along in celluloid rapidly as a portrayer of spluttering French and Latin types. As the pseudo-count he rings the bell with his mannerisms alone, albeit he has some excellent lines and scenes. As the crooks on the lam, Richard Lane and Bradley Page are good straights for Penner and Tom Kennedy, the dimwitted thieving accomplice.

Production is good for a B, and cost probably was low, due to most scenes being countryside and most of the settings being small and inexpensive; majority of the footage was shot in and around the trailer.

Probably the adapters of the original yarn by Walter O'Keefe, himself a comic, did about as much with the screenplay as the story offered. Camera is capable.

*Bert.*

## THE DRUM

(BRITISH MADE)
(IN TECHNICOLOR)

London, April 11.

United Artists release of London Films-Alexander Korda production. Features Sabu, Raymond Massey, Roger Livesey, Valerie Hobson. Directed by Zoltan Korda. Adapted by Lajos Biro from story by A. E. W. Mason; scenario, Arthur Wimperis, Patrick Kirwan, Hugh Gray; camera, Georges Perinal, Osmond Borrodaile. At the Odeon, London. Running time, 101 mins.

| | |
|---|---|
| Prince Azim | Sabu |
| Prince Ghul | Raymond Massey |
| Capt. Carruthers | Roger Livesey |
| Mrs. Carruthers | Valerie Hobson |
| Lieut. Escot | David Tree |
| Bill Holder | Desmond Tester |
| Governor | Francis L. Sullivan |
| Major Bond | Archibald Batty |
| Mohammed Khan | Amid Taftazani |
| Sergt. Major Kernel | Edward Lexy |
| Mullah | Michael Martin-Harvey |
| Major Gregoff | Ronald Adam |

Many interesting things might be recorded in connection with the production and presentation of 'The Drum,' but the one outstanding indication is that it looks like a 100% commercial bet. Main ingredients that go to make it what it is are direction and color photography. Acting is, of course, an incidental necessity, and this is more than well supplied. Production is a typical Korda magnificent spectacle, without recourse to overwhelming mob scenes.

Film is based on a story written specially for the screen by A. E. W. Mason. He supplied an excellent machine-made suspensive tale laid in India, with fine dialog, interpolating the not generally known fact that polo originated in India, is now an English sport and an American profession. Marvellous nature scenes of India are shown with the aid of color. Atmosphere has rarely if ever been better depicted. Native dancing and customs give every indication of being genuine. There is not a moment when the spectator does not feel he is looking at the real thing. Some of the 101 minutes' footage should be deleted. It would tend to quicken the action and please the majority of picturegoers.

Entire action is laid in the tribal territory of the northwest frontier of India. An elderly Khan is anxious for British protection to ensure his throne for his son, Prince Axim (Sabu). Ruler's brother, Prince Ghul, is fanatically anti-British, kills the old man, and the plot involves the attempt to do away with the young prince. Youngster is spirited away by his faithful body servant, but they are followed, and when the plotters attempt to kill him, he takes refuge in the British Residency. Prince Ghul invites the entire British colony to a feast, and plots to massacre them with concealed machine guns. Young Azim averts the catastrophe, but not without a terrific battle, which is won by the British only after the arrival of reinforcements.

Sabu, the 14-year-old Indian youth who came to attention in 'Elephant Boy,' lives up to the promise given in that film and conducts himself with requisite dignity. He now speaks very good English. Raymond Massey is sufficiently sinister as the throne usurper; Roger Livesey is excellent as the military commander, and the entire supporting company recruited from the best available screen talent in England.

*Jolo.*

## Reagan's WB Sleuther

Hollywood, April 19.

Ronald Reagan will carry the stellar burden in Warners' newest bread-and-butter series, which will be based on the exploits of Uncle Sam's Secret Service.

Burbank plant already has two series groups under way: 'Torchy Blane,' femme reporter, and 'Dr. X,' which features Boris Karloff.

## New York Theatres

There's a Better Show at the RKO THEATRES

"TORCHY BLANE IN PANAMA"
LOLA LANE - PAUL KELLY
NOW Strand B'way & 47th 25c to 1 p.m.
Beginning Saturday, 9:35 A.M.
"Accidents Will Happen"

Loew's STATE BROADWAY & 45th STREET TODAY ONLY
"GOLDWYN FOLLIES"
RUBY VALLEE IN PERSON
Starts Thursday
In person MAE WEST
"MERRILY WE LIVE"

CLARK GABLE MYRNA LOY SPENCER TRACY
in Metro-Goldwyn-Mayer's hit
"TEST PILOT"
CAPITOL BROADWAY at 51st STREET

PARAMOUNT TIMES SQUARE
HELD OVER
In Technicolor
"Her Jungle Love"
with
Dorothy Lamour
Ray Milland
IN PERSON
Tommy Dorsey
AND BAND
●
BEN BLUE

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"In Old Chicago"
—On the Stage—
New Stage Show

RADIO CITY MUSIC HALL
HELD OVER
"ADVENTURES OF MARCO POLO"
Spectacular Stage Productions

# Columbia Emotionally Prepares Accounts for 'No Summer Layoff,' But Not to Apply Before 1939

Intimations have been given by CBS' sales department to advertising agencies that the network won't, starting with the summer of 1939, hold spot open for year-in-and-year-out customers that want to go off for anywhere from nine to 13 weeks. Columbia will insist that such accounts hereafter replace their vacationing names with summer shows.

Policy that Columbia is now talking about has been in effect with NBC for several years. NBC refusal to protect these temporarily retired clients on choice spots has been responsible for such accounts as Jell-O, Gulf Refining and Bristol-Myers underwriting cheaper talent setups during the 13 weeks that Jack Benny, Phil Baker and Fred Allen took their radio vacations.

Among the CBS accounts that have exercised for several years the layoff privileges are Lever Bros. (Lux Radio Theatre, Al Jolson-Parkyakarkas), R. B. Davis (Joe Penner) and Ford Motor (Sunday evening concerts).

## WESSON'S OWN SURVEY

### Each Employe Makes 20 Phone Calls at Random

San Francisco, April 19.

Employees of the Wesson  il and Snowdrift Company here will conduct their own coincidental telephone survey to determine the popularity of the Wesson Oil dramatic serial, 'Hawthorne House,' during the broadcast Wednesday (20) over the Coast NBC-Red web from the local studios. Twenty names will be chosen at random from the telephone directory by each of the firm's employees, who will call to ask if the radio is tuned to 'Hawthorne House.'

In a similar survey made some time ago, the drama ran second to Eddie Cantor's program, but the Ted Maxwell serial no longer has the comedian for competition.

## WOR TITLE PROTECTED BY PERM. INJUNCTION

Bamberger Broadcasting Co., owner and operator of WOR, New York-Newark, last week obtained a permanent injunction from Judge Alfred C. Coxe in the Federal court restraining the W.O.R. Fur Corp. from using that name.

Bamberger contended that the title inferred a connection with the former's department store and the station.

## Games, Games, Games

Philadelphia, April 19.

Games, which are just starting to wear thin in theatres here, are still strong with radio stations. Practically all have some sort of show now employing a form of prize game and are adding them as fast as thinker-uppers can devise new ones.

WIP has recently added two. First is 'Sternco,' a commercial for Stern and Co., in which listeners' telephone number becomes part of the winning number. Another is 'Twenty Questions,' invented by Philip Child, amateur game expert. It is variation of old kid game called, 'Animal, Vegetable, Mineral.' Two members of studi  aud leave while objects are selected by other members. Then they come back and try to guess names of the objects.

## Lohr's D. C. Speech

Lenox R. Lohr, NBC prez, will make an address May 4 in Washington before the United States Chamber of Commerce.

On the radio status quo, etc.

### Virginia Gates at L. & M.

Virginia Gates now handling publicity and promotion for Lennen & Mitchell agency. Replaced George Scheur, who recently left to gird th  globe on a tramp steamer.

Miss Gates, before joining the agency, handled publicity for Saks-Fifth Avenue department store. Prior to that spot she was  ith CBS.

## NBC's DST Calculator

NBC will mail out to advertisers and agencies this week a gadget designed to compare the time in other cities with New York's during daylight saving.

It's all done by sliding a card up and down in a celluloid envelope.

DST starts Sunday (24).

Charlotte,  . C., April 19.

WBT started last week to announce at the close of each commercial program the time it will be heard when daylight saving goes into effect (24).

Station figures that a once-over-lightly isn't sufficient to impress on the listener's memory a forthcoming change in schedule.

# Radio Writers Hold 1st Board Meeting in N. Y.

Radio  riters' Guild, branch of the Authors League of America, held its first regular board meeting last Monday night (18). Session was principally devoted to plans for a membership drive. One of the difficulties in increasing the membership has been the difficulty in finding out the identities of all writers in the radio field. Some question even exists as to the exact definition of a radio writer.

Another subject considered at the huddle was the position of radio writers under the social security setup. Situation is reported to be in a mixup at present and the scribblers seek ways of clarifying their status. It was also decided to hold a discussion meeting soon for all radio scripters to consider the technique of the craft.

Guild has not taken any steps to set up a scale of rates or other specifications for scripters. That may be considered after the membership is better established, but probably not even then unless general business conditions have improved. Figured that this is not a logical time to seek concessions as to pay or working conditions, etc.

Monday's session was well attended. More than a dozen board members and executives were present.

## Fibber Filler Not Set

Hollywood, April 19.

After auditioning a couple of dozen shows in his quest of a summer filler for Fibber McGee and Molly, Cecil Underwood, producer of the Johnson waxer, returned to Chicago last Saturday (16) for conferences with Jack Louis of the agency on a choice. If the Coast batch fails to produce a suitable program, likely that Jim Ameche will fill the nine-week summer gap with his 'Attorney-At-Law' stripper.

Underwood indicated the Ameche show, if picked for the pinch-hitting role, would originate in Hollywood, where a femme picture name would play opposite. Ameche favors the Coast, as he has had several picture nibbles.

## COCA COLA MAY HIRE FRED WARING

Coca Cola is negotiating with Fred Waring, through the D'Arcy agency, to replace the beverage mixer's current program on CBS in May. Meanwhile the account lent an ear to a show devised by Gus Haenschen, consisting of an all-stri  -chestra and a choral group.

Waring has been off the air for two years. He has from ti  to time played theatres wi  rganized unit.

Officials of the D'Arcy agency were in Cleveland yesterday going over the Waring proposition with Coco Cola spokesmen and they are expected back by Saturday (23) with a definite yes or no. Waring is asking $13,600 a week, or the same salary paid him by Ford.

## Brooks Must Elaborate In 650G Suit Vs. Cantor

Hollywood, April 19.

Matt Brooks, screen and radio writer, must elaborate on the circumstances in his complaint, if he wants his $650,750 suit against Eddie Cantor tried in court. The court has sustained a demurrer on the ground that insufficient data was filed to justify Brooks' claim of a loss of studio employment.

Action is based on allegation Cantor appropriated material written by Brooks to another airshow.

## Loopers Do Stoge Piece

Chicago, April 19.

Radio-Theatre Guild, composed of professional radio performers, presenting 'Dark Echo,' a play by Howard Keegan, at the Foresters theatre this week.

Cast includes Arthur Petersen, Raymond Johnson, MacDonald Carey, Betty Caine, Fred Sullivan, Norma Peterson and  illard Waterman. Keegan is former NBC radi  i-rector.

Wyn Orr is director of show, with Bob Graham, NBC sound effects engineer, in as technical director.

# Bakers Rule Out Giveaways

### 'Junior G-Men' on WOR Victim of Local Trade Group's Code, 'Women Make the News'

Associated Bakers of New York City, trade body, has arrived at a new code of practices of air advertising. Programs in future, the bakers have agreed, will not organize kiddie klubs, nor run contests, nor give gadgets, gi  icks and badges for the kids collecting the su  icient number of bread wrappers. These stunts have been part of many local bakery commercials around New York.

First big casualty under the new code will be 'Junior G-Men,' which has been successful on WOR, N. Y. for the past two years. Program, produced by Donald Peterson for Fischer Baking, has always had badges and contests for the kid audience sought. On June 1, Fischer has agreed to cease sponsoring the thrice-weekly show and will take to Vincent Connolly's 'Women Make the News,' which is currently sustaining on WOR.

Connolly program is aimed at the housewife and will be devoid of the 'unfair' practices the bakers' organization has decided to eli  inate.

## Blackett-Sample-Hummert Joins Four A's but Keeps Its Own Radio Contract

Blackett-Sample-Hummert, Inc., is no longer a holdout from the American Association of Advertising Agencies. It became a member last week.

Agency will not be obliged to abandon its own station time contract form for the standard agreement which the Four A's adopted some years ago.

## Option 'Winslow of Navy'

Chicago, April 19.

Hays McFarland has taken option on 'Don Winslow of the Navy' script, and is understood to have peddled it to cereal firm.

'Winslow' has been on NBC as a sustainer as on WMAQ here for a spell for Iodent toothpaste.

# F.C.C. Votes Down, 5 to 2, Payne's 'Hurrah for Congress' Resolution

ington, April 19.

Federal Communications Commission by a vote of 5 to 2 last week refused to put itself on record as favoring a Congressional investigation of the broadcasting industry. Resolution bidding welcome to probe was introduced by Commissioner George Henry Payne and the other affirmative vote came from Commissioner T. A. M. Craven.

Commission's action followed within 24 hours of the latest blast loosened against the alleged radio monopoly by Rep Lawrence Connery, of Massachusetts. Connery assailed the commission's own plan to investigate possible monopolies. He charged that the move was a 'deliberate attempt to hoodwink the Congress and to whitewash the actions of those, who, through their control of money, have created this radio monopoly, those who have trafficked in and been enriched through the granting, sale and purchase of radio franchises.'

In announcing  isposition of the matter, the majority—Chairman McNinch and Commissioners Sykes, Brown, Walker, and Case— joined in a statement saying the Payne move was improper.

'Whether an investigation of a governmental agency created by Congress should be made is wholly matter for the judgment of the Congress itself,' resolution nixers explained. 'This Commission should neither advocate nor oppose such investigation.

'If at any time the Congress should see fit to enter upon an investigation in which this Commission may be concerned or by which it may be affected, this Commission should expect to offer every facility at its command in assisting in the active prosecution of such an investigation and in making immediately available all the facts pertaining thereto.'

Reply from Payne turned the heat on Commissioner Walker, author of the majority's statement. Saying 'the only logical deduction is that some members of the FCC do not want the investigation and do not welcome it,' he chided Walker because the latter complained about 'leaks' regarding the proposed report on the telephone investigation, adding that the premature disclosures partly led to the February-March stock market crash.

'I greatly regret that the Commission should have put itself on record as unwilling to say that it was not opposed to an investigation,' Payne commented. 'It is preposterous to deny that there has been opposition to a Congressional investigation within the Commission. There has even been lobbying against it.'

## C.A.B. Farm Report

Cooperative Analysis of Broadcasting is about to repeat its farm survey of last spring. Same investigators, same towns, same number of calls.

Traces urban vs. rural  gram popularities.

Al Lehman of the Association of National Advertisers and exec in charge of C.A.B., will report on future plans of the popularity survey in a speech tomorrow (Thursday) at White Sulphur Springs before the Four A's.

## LOU HOLTZ OUT IN COIN TIFF

A tiff between Lou Holtz and Fred Mayer, promoter of co-op brewers' program via the U. S. Advertising Agency resulted in the CBS show going into a guest policy instead. Hugh Herbert and Jane Froman were Monday's guesters; Allen Jones and Sheila Barrett next week; Connie Boswell and James Melton next, et al.

Along with Holtz's leaving, Kay Thompson's choir is out. Dick Himber's band and Ted Husing stay, latter to do interviews  ith sports celebs.

Back of the Lou Holtz drop-off is a tiff between Lester Schurr of Louis Schurr's agency, representing the comedian, and Freddie Mayer, who promoted the show  ith the U. S. Advertising Agency. It evolved from a belief that Holtz would get $2,500 a week after the first two weeks, he working sans contract until the show got rolling. But instead of the tentative $1,500 a week Holtz reportedly got $1,000 the first fortnight. Thereafter it was to have jumped to $2,500 but the grand was all he drew for the five weeks he was on the show.

When Mayer stated that the sponsors wanted Holtz to cut down to six or seven minutes, thus minimizing his efforts considerably, but that he also get new scripters, the comedian balked at the $1,000 payoff and walked.

He has a Dave Selznick film chore due in July, 'The Earl of Chicago.'

## JAMES McCORMACK ON WOR

### Sumner Agency Places Brother of Irish Tenor in Local Program

James McCormack, tenor and younger brother of the Irish tenor, John McCormack, starts a commercial series for Slide Fasteners on WOR, starting April 26.

Programs will air Tuesdays and Thursdays, and McCormack will be backed by Milton Kaye's string ensemble. G. Lynn Sumner is the agency on the account.

## Blue Jay Calls It Off

Bauer & Black (Blue Jay corn plaster) last week suddenly cancelled the campaign of chain break spots it had cleared time for on around 50 stations. Ruthrauff & Ryan agency made no explanation when notifying of the cancellation other than the account may come through later.

Time had been cleared on the stations for a spread over four weeks, 26 spots weekly with the blurbs set to follow or precede newscasts if possible.

### itte's WPG Program

iladelphia, April 19.

Larry Witte, of N. W. Ayer agency publicity staff, will do a new quarter-hour weekly show on WPG, Atlantic City, starting April 30. Tagged 'Star Gazette,' program includes radio personality chatter and interviews with radio eds, etc. Marjorie Neal, femme chirper, whom Witte unearthed, will also be heard on the show.

Witte did a similar show called 'Static' on WPG and one called 'Mike Notes' on KYW last s  son.

## SUES WEVD SALESMAN FOR COMMISH DIVVY

Dan Fader has filed in N. Y. supreme court a suit for $50,000 against Norman Furman, salesman at WEVD, N. Y. Plaintiff's claim is that he was instrumental in helping the defendant sell Alka-Seltzer on sponsoring WEVD's late-night 'jamboree,' which has been bankrolled by the headache medicinal for several years. Fader claims Furman promised hi  a cut of his commission.

Station is not named in the suit and plaintiff has no connection with the broadcaster. According to George Field, manager of WEVD, $50,000 is more money than the station has realized from the accou  during its stay on the air.

## James Rogers to B.&B.

James Rogers, who has been account executive on American Tobacco for the past two years, resigned last week from Lord & Thomas to become a v. p. with Benton & Bowles.

Move, Rogers explained, was solely instigated by a chance to better hi  self.

### Irene Beasley with CBS

Irene Beasley has signed with Columbia Artists, Inc.

Set to guest on the Al  (Ford Dealers) program  bia next Tuesday (26).

# TOBACCO STAR-CHASING

## Competition in Federal Projects

### Brand-New Somervell Radio Acting Group Opposes Older Group of Evan Roberts

here are now two radio projects bankrolled by the WPA operating separately in New York, and doing some scrapping with each other for time on the stations in which to resent their programs.

Federal Theatre Radi ivision, which has 150 on its rolls, is slightly more than two years old. Newcomer with around 100 on payroll is labeled WPA Radio Production Office, and was formed by Col. Brehon Soi -vell, boss of all WPA activiti in New York.

Federal Theatre group is headed by Evan Roberts, nationally in charge of radio in the Four Arts Project, under WPA.

New radio group is the only sort of art project Somervell has formed, and the only one in the country outside the jurisdiction of the Four Arts' head, Mrs. Hallie Flanagan. Somervell has put in charge of his group Vernon Radcliffe, formerly ith NBC program dept.

With both groups warring over getting time from stations, the older organization at the moment has the most. Fed Theatre gang has three programs on WOR-Mutual, five on WNYC, two on WQXR and one each on WMCA and WHN. Somervell's roject has five on WINS and one each on WHN, WBNX, WBIL.

## KOMO-KJR MUSICIANS ON NOTICE

Seattle, April 19.

KOMO-KJR has given two weeks notice to musicians with the approach of daylight savings. While the move is disturbing to the staff musicians, Joe Pine, the stations' musical director, said that the notice was not unusual and had been issued as a protection in case of multiple cancellations on NBC.

Heads of the local musicians union say that they are awaiting instructions from the home offices of the American Federation of Musicians as to the procedure they might follow.

AFM headquarters explained yesterday (Tuesday) that layoffs are permitted during the summer under the settlement contract with network affiliated stations as long as such stations spend the annual amount they are committed for on musicians within a period of nine months.

Even with the layoff option stations are obligated to keep some musicians on the payroll every week of the year.

## 130 Indies May Face Musician Payroll As A.F.M. Accord Result

Committee representing stations not affiliated with the national networks are due to meet today (Wednesday) with Joseph N. Weber, American Federation of Musicians prez, on the group's findings in a statistical survey regarding indie station income and musician employment, committee is working on a plan to meet the AFM's requirement for increased use of musicians among indie outlets.

It is expected that the end of negotiations will find at least 130 of the smaller stations committed to the ad- n of musicians to their payrolls.

### Cy Feurer at KHJ

Hollywood, April 19.

Cy Feurer has joined Don Lee net- rk as musical director at KHJ.

He succeeds Carlton Kelsey, - signe

### Just Suspicions

John Carlile, production manager of Columbia Broadcasting, has one of his oil paintings in a window of art store near the home offices on Madison avenue, New York.

Can't decide if it's a tribute, or the store shilling for attention of CBS staff through curiosity.

## AFRA'S NEW DIRECTORS

### Radi Actors Union Names Screen Guild Members

Seven new members of the board of directors of the American Federation of Radio Artists were chosen last week. All are Screen Actors Guild members. They include Edward Arnold, Jean Hersholt, Lanny Ross, Don Ameche, J. Warren Hull, James Wallington and Ben Alexander. Arnold, Ross, Hull and Wallington were already AFRA directors whose terms were thereby renewed. Arnold and Hersholt are directors of the SAG.

AFRA national board issu two new charters last week to local chapters in Philadelphia and Racine, Wis. Permanent officers have not yet been chosen by the locals, but their affairs are bei handled by steering committees.

New charters were issued by the AFRA national board last week to local chapters in Philadelphia and Racine, Wis. Affairs of the branches are temporarily being handled by steering committees. Permanent officers will be elected later.

Under the AFRA constitution any local group having 11 eligible members, with dues and initiation fees paid up may apply for and be granted a chapter. Racine has only one station, WRJN. Only previous smaller city to receive an AFRA charter was Shreveport, La. (two stations).

## Lilian Laufferty Script Sponsored by Sealtest

New dramatic serial show to air daily Monday through Friday over NBC red will be started by Sealtest next Monday (25). Lilian Lauferty is scripting the series, which is to be produced by Henry Souvaine, Inc., and directed by Gordon Whyte. c-Kee, Albright & Ivey is the agency. Program is tabbed 'Your Family and Mine.'

Miss Lauferty also scripts the 'Big Sister' dramatic series.

## Mutual's Dell Exclusive

Mutual has an exclusive broadcast deal with Robin Hood Dell concerts, al fresco classical-music series held annually in Fairmount Park, Philadelphia.

Arrangements were made through Sam Rosenbaum, of WFIL, MBS' Philly outlet, who is close to Dell officials. Mrs. Rosenbaum plays the harp for the concerts.

### Bryan and Wood Join KTSA

San Antonio, April 19.

Hubby-and-wife act has jelled at KTSA, San Antonio, with the appointment of William 'Buster' Bryan as program manager and Trudy Wood as vocalist.

Bryan comes here from KFI, Los Angeles. Miss Wood sang on the Fred Astaire programs over NBC and with the George Hamilton and Jimmy Grier orks.

Rex Preis meanwhile has joined KTSA as musical-director.

### Strouds Stay On C&S

Hollywood, April 19.

ew option pickup on the Stroud Twins ill keep them on the Chase & Sanborn program through June 19.

Former hoofers are planning a personals tour for the summer.

## $3,500 PAY TILT OFFERED PEARCE

### American Tobacco opes to Get Comic Contractually Committed to Ford for Another Year

### TALENT COSTS

ind an $8,0 offer made to Al Pearce by American Tobacco is believed to be a desire of that cigaret sponsor to have a high-ranking C. A. B. popularity program to offset the Eddie Cantor sessions for Camels ($15,000) and the prospective sponsorship of Burns and Allen ($12,500) by Chesterfield. Pearce has been steadily advancing in C. A. ratings.

Because of Ford's own spotty luck with radio programs it is uncer in what reaction he may take to the request that he release Pearce. Those concerned with this whole maneuver have feared that radio might lose an important advertiser altogether.

Pearce will move over to the payroll of the American Tobacco Co. (Lucky Strike) this fall, should he get the release of his present contract from Ford. Salary that Pearce is offered, in the event the split goes through, is $8,000 a week; or a boost of $3,500 over his current Ford stipend. All concerned are hoping that Henry Ford will lapse into an economizing mood this summer and agree to tear the agreement which binds Pearce for at least another year.

With Lucky Strike the Pearce session would likely go to a full hour, with the extra coin allowing him to bring in more and high rating guest artists. Even if Ford consents to the release, it is figured that Pearce will continue under the auto maker's banner until September.

Pearce wants to broadcast from the Coast again this summer, starting in June. He's a native of California.

In event such arrangements are made it is unlikely the Pearce Gang will do personals in towns where Ford plants are located when spiraling westward as was done when the program went out and back last year.

American Tobacco Co. has budgeted $1,000,000 to be spent in spot for Lucky Strike within the next 52 weeks. Campaign has started off with the placement of one-minute transcriptions at the rate of 21 periods a week. While the list to date consists of 40 markets, the account proposes to spot these waxed announcements in at least 60 markets. It makes the first time that Lucky has been tied up with an announcement idea. Lord & Thomas is handling the campaign.

Allocation for Lucky's spot drive will not affect the Kay Kyser show on NBC and the Hit Parade on CBS. These stanzas are slated to remain all through the summer.

Only other spot announcer user that rates or has rated in the million-dollar class, in recent years, is Bulova Watch. Only other of its brands that American Tobacco has backed with announcements campaign are Cremo and Roi Tan cigars.

### Kyser Campus Stunt

Lucky Strike intends to travel Kay Kyser among the colleges and universities starting in September.

Tickets to the broadcasts will be distributed among the students, with a view to giving the audience participating features of the program a 100% collegiate complexion.

## Robinson-Trevor Clicko Inspires Possible Carbon Copies; Huston, Dietrich, Dix, Arnold Mentioned

Standout click of Rinso's ig Town' with Edward G. Robinson and Claire Trevor may result in the addition of an appreciable number of like half-hour dramatic shows to NBC's and Columbia's commercial roster next season. Policy involved provides for a permanent central characterization by a screen name and a complete story with each program. Ad agency impresarios agree that the formula which Rinso has hit on can stand lots of duplication on the network schedules.

Walter Huston, Marlene Dietrich, Richard Dix and Edward Arnold are among the names submitted recently to agencies. For Huston it would be a 'Mr. Tut' seri , Miss Dietrich linked with the role of Mata Hari, Dix's agent has a western idea, 'Lost Wagon Trails,' while Arnold has been proposed for a crime det ting assignment.

### Ruffner's Night

Hollywood, April 19.

Almost anything serves as an excuse for a testimonial in this burg. Last Wednesday (13) feed was tossed for Tiny Ruffner. Seems that he has been a year in Hollywood. Around 50 guests went for the $10 tap. Quite a few chaps ll radio wares were on hand for the stageroo.

Ray Ruffum, first aide to Ruffner, made the collections.

## MARX BROS. LOSE APPEAL

### Pay Fine Circuit Court Tells Them—Judge Unimpressed

San Francisco, April 19.

Groucho and Chico Marx must pay a $1,000 fine each or go to jail for a year for purportedly pirating a radio script, the United States Circuit Court of Appeals decided here last week.

Convicted by a jury in a Los Angeles Federal Court of violating a copyrighted skit, 'The Hollywood Adventures of Mr. Dibble and Mr. Dabble,' written by Garrett and Carroll Graham, the Marx brothers appealed on the ground their plagiarism, if any, was unconscious.

But Circuit Judge William Healy, who wrote the opinion, held that, as the Marx brothers had read the script only a year before they broadcast it in September, 1936, they surely could not have forgotten all about it. So he said they should pay or go to jail.

## NBC-Muzak Mark Time in Dispute

### Question Involves 'Wired Wireless' Picking Up Exclusive Sports Events Controlled by Network

NBC and Muzak, Inc., have called a truce on their argument over the latter's legal to rebroadcast fight and other sports events until A. L. Ashby, the network's general counsel, and Waddell Catchings, Muzak's board chairman, can conveniently get together for a discussion of the issues. Muzak feels that it is within its lawful rights when it relays such network programs to its clients, while NBC contends that it has complete control over the transmission of its broadcasts regardless of whether it's plain or wired wireless.

uzak also takes the position that it is not a direct competitor of the network, nor is it in any way infringing on the rights of NBC. To Muzak it isn't clear just where NBC's interests are being injured since Muzak isn't depriving it of any listeners. If anything it is adding them. Muzak argues that it is not selling NBC's broadcasts but is merely renting receivers through which such broadcasts can be heard. Its status, holds Muzak, is similar to that of a public hotel which relays broadcast programs through a master receiver to loudspeakers in the guest rooms.

Issue involved is without precedent in American litigation and is described as being in no way related to the court action which NBC and th 20th Century Sporting Club brought against the Transradio Press Service a couple years ago The N. Y. Supreme court at the time upheld the network's claim to the exclusive broadcast rights to the 20th Century's bouts.

## WILYA-WON'CHA STILL HAZY IN DETROIT

Detroit, April 19.

Although new auto sales are beating a steady week-by-week advance, in several cases appreciably above seasonal, it's still too early to determine with any certainty when and if motor moguls will return to ozone form of advertising in any concerted drive.

Idea is being accorded considerable thought, however, but it's lieved in most quarters car firms will delay returning to big network shows until late summer or early fall, which won't preclude hefty use of spot announcements, however. The hesitancy is based on:

(a) Motor bigwiggies' uncertainty on tax bills and New Deal policies in general.

(b) Fear that the current upturn in new car sales won't last beyond the normal spring-pickup period, plus the fact that present sales are about 50% under last year's.

(c) Heavy initial outlay necessary for ether shows as compared with the flexibility of newspapers and magazines.

As a result of the recent National Used Car Exchange Week, on which motor companies spent $1,300,000 on advertising alone, used car stocks on dealer hands are in much better shape than a year ago. Opening the way for dealers' ability to take trade-in cars on new vehicles; but foiled by lack of ready cash on part of prospective buyers to carry out their end.

**Like the Dallies**

Another reason for motors' hesitancy on radio end of advertising, is the general acknowledgement on part of car execs that newspapers gave more profusely — and more effectively, they say — of their facilities in the recent used car drive. Moreover, car execs agree, prints didn't stop promoting used cars after the campaign was over and advertising stopped, thereby helping to keep sales on the upgrade even after 175,000 cars had bee disposed of during the drive.

If biz returns to near-normal proportions by fall, it's general feeling here that motor firms will return to ether shows enmasse ith 1939 models being introduced and with general belief that they'll go like hotcakes, in view of expected radical changes an if conditions better everywhere.

is E. Rich, former LEX, Lex- , and WI , Boston, nuexed MEX, Boston.

# Radio Daffodils

**Fort Wayne**—Rev. R. W. lanchard of Ashley, Ind. , bought an old-fashioned pump organ for $2, took an old dilapidated vacuum sweeper, attached a gasoline pump hose to the blower and hooked the whole thing up to the organ. And the entire cash output for the contraption was only $5.73.

Rev. lanchar ios of WOWO last week to present a 15-

**Buffalo**—A burglar took $200 from the boarding house in which Sig Smith, WKBW announcer, lives. All the boarders, summoned to police headquarters to take lie-detector tests, and Smith decided his test would make a good air stunt.

One question was, 'Have you ever taken anything from the house where you room without the knowledge of the landlady?' Smith said 'No,' and the detector called him a liar. Under grilling announcer broke down and admitted he has sometimes copped cookies and pie from the pantry.

**Philadelphia**—WIP tomorrow (Wednesday) will air what it claims to be first broadcast in history from inside a cake of ice. Bobby Jones, stunt man at Electrical Exposition here, will be frozen into the big chunk of concentrated cold. He'll be provided with a mike and earphone so he can get his cue.

# DAYTON FANS PROTEST B. B. BAN

Dayton, O., April 19.

Some fans here are incensed because Howard E. Holmes, manager of the Dayton Ducks, Class C club, nixed airing of Cincinnati Reds' games by WHIO. Holmes, one-time major league catcher and umpire, is exercising his prerogative as minor league manager in refusing station right to carry major loop games.

Though squabble has now raged for several days, Holmes made first statement of his position to press Saturday night (16) at spring training camp, Winston-Salem, N. C. He won't yield, the statement told reporters, unless paid the $5,000 he demands either by broadcast's sponsors or by Powell Crosley, Jr., Reds' president.

According Leonard Reinsch, WHIO manager, Holmes is departing from his former agreement to permit Dayton broadcast of the games providing he found no way of blocking WSAI, Crosley's Cincinnati station, from carrying them.

Fracas took a new twist yesterday (18) when the mikeman on the 'Man on the Street' program of WSMK, also local station, quizzed passersby with leading question in Holmes' favor. He was quickly hushed because his sponsor also backs a sports broadcast on WHIO.

Gist of the protests is that the Ducks play ball at night and that airing the Reds' games would thus not cut in on their revenue.

Bridgeport, April 19.

Baseball addicts have been encouraged to complain about a ban of the N. Y. Yankees that prevents the Colonial network out of Boston feeding American League play-by-play to WICC. First year the station has been shut out, although the National League games are not withheld.

Yankees figure Bridgeport within the area from which they draw patronage, and imposed the verboten on the Kellogg-sponsored Fred Hoey broadcasts.

Pittsburgh, April 19.

Chester Smith, sports editor of afternoon Press, picked by Atlantic Refining for 15-minute sports survey on WJAS every evening.

ianapolis, April 19.

Baseball games of Indianapolis Indians, American Association club, on play-by-play basis, again started last Saturday (16) over WIRE here, with Wheaties and Socony-Vacu in a joint bankroll deal.

Afternoon games will get full play-by-play airing, but night-time games won't get on the air until 9:30 p.m., with play-by-play account being continued from then on until game ends. Rest will be summarized.

Norm Perry, Jr., whose pop owns the Indianapolis ball club, is again the miker for the season, as a member of the General Mills baseball announcing staff. Wally Nehrling, recent spieler added to the WIRE staff, did the color for opening game (16).

Cincinnati, April 19.

WCKY and WSAI made separate ickups of the annual citizens' baseball dinner for the Reds, held in the Hotel Gibson onday (18) on the eve of the local team's National League opener with the Cubs. Powel Crosley, Jr., president of Cincy's ball club and head of WLW and WSAI, was one of the speakers. WSAI fed its airings to Mutual.

WSAI and WCPO, as for the past two years, are broadcasting accounts of weekday games played here and all foreign games except in New York and Brooklyn, where it's thumbs down on radio. Socony gas and Wheaties are co-sponsoring the diamond blasts, handled on WSAI by Red Barber, with Dick Bray as assistant, and on WCPO by Harry Hartman.

While WCPO laid off the inner, it had a speecial earlier stanza devoted to interviews of players on the Reds team by Hartman.

Philadelphi , April 19.

Spieling assignments made last week for Athletics' home games for Atlantic Refining over WIP include two gabbers from Fort Worth, Texas. Lone-starrers are Byron Saam, who'll handle p.-by-p., and Walton Newton, who'll do commercials. Color and between-inning patter to be taken care of by Stoney McLinn, WIP sports director.

WIP is key station on the baseball airings for nine-station net which includes WPG, Atlantic City; WDEL, Wilmington; WSAN, Allentown; WHP, Harrisburg; WGAL, Lancaster; WORK, York; WEST, Easton, and WEEU, Reading.

Alan Scott, who rted air career seven years ago as sports gabber, back in the same spot on WCAU. He left sports to turn to commentating and in that time has had coupla commercials and bunch of sustainers.

Now he will leave current events stuff for color on WCAU broadcasts of Phillies games for Socony.

# HOUSTON DEEP THINKER DITTOES FOR DALLAS

Houston, April 19.

'Dr. I. Q.' theatre quiz program inaugurated in Houston last summer, and patented by its inventors, Ted Nabors and Harry Grier of KTRH, is to be introduced in Dallas April 20, at the Melba Theatre, under the sponsorship of The 7-Up Distributing Co.

Ted Nabors, the Dr. I. Q. of the KTRH-Metropolitan show, will go to Dallas to inaugurate the program there.

A combination question and answer program conducted from the stage of the Met, with patrons of the theatre participating, and broadcast over KTRH, has proven locally popular.

## NBC's Frisco Fire

rancisco, April 19.

Fire, believed caused by a cigaret in a waste basket, destroyed the offices of the education and audience mail departments at NBC headquarters in the 111 Sutter Building here last Friday.

Blaze started during the noon hour in the third floor offices occupied by the web's Western Division Educational Director, Arthur S. Garbett, and his assistant, Helen Stewart. Garbett, who attempted vainly to extinguish the flames before firemen arrived, lost his only copies of a partially completed manuscript for a book on which he has been working for some time, portions of a musical composition he was writing under a Rockefeller Foundation commission, a number of rare volumes and other valuable material.

Stacks of fan mail were destroyed, and mechanical equipment used in sorting the letters was ruined by fire and water. iss Wanda Woodward and her four assistants in the audience mail department are on vacation until further notice.

### Dave Tyson Off WFIL

Philadelphia, April 19.

Dave Tyson, WFIL gabber, has resigned from the station in mutual disagreement. He had only one commercial, 'Lone Ranger,' at date of his departure.

Cause of falling out was Tyson's summer job as manager of Children's theatre on Steel ier, Atlantic City, post he's held for six years. Last year—his first at WFIL—he quit to take the Steel Pier spot and was hired back in October.

### Shroder's KVOD Job

Denver, April 19.

M. F. Shroder has been named as commercial manager at KVOD here, succeeding Jerry Akers, who resigned.

Akers has organized the Akers Advertising Agency here.

# Inside Stuff—Radio

According to the Rockefeller Foundation's annual report, 'radio has developed because it has served genuine human needs; but how precisely it meets those needs is still an open question.' For this reason $67,000 was given last year to the School of Public and International Affairs of Princeton University for a comprehensive study of the value of radio to listeners.

Grant is one of those made last year by the Foundation which gave a total of $153,820 toward experimental work in radio out of $800,000 appropriated to the field of the 'humanities.' Another $60,000 was appropriated to the University roadcasting Council of Chicago, toward the support over three years of is inter-university agency for the production of radio programs of educational and cultural value.

Appropriation of $14,000 was given the National Music League toward a study of popular taste in music, for the benefit of the radio industry and on non-commercial agencies.

To the Pan American Union the Foundation gave $12,820 to assist a broadcasting experiment between the United States and Latin America.

WHAM, Rochester, and Gannett Newspapers becoming pals again with relaxation by newspapers of ban on station news and publicity. Fact that Gannett owns rival WHEC, which got all the press breaks, made it tough for WHAM to get even important station events before newspaper readers.

New relations are laid to growing friendship between Frank E. Gannett and William Fay, general manager of WHAM. The publisher has spoken twice over the station lately. The Times-Union and WHAM put on a joint promotion effort and radio events at the station have been getting attention in the news columns of both Rochester newspapers.

Al Cook, of the freelance radio publicity office, Cook & Doherty, won the audience participation prize of 5 on Kay Kyser's commercial for Lucky Strike on NBC-red last ed. (13). In winning, Cook was under the pseudonym of 'Fred Lee.'

Method of selecting contestants on the Kyser program is to draw nu bers from a hat and those in studio audience with corresponding numbers are automatically mustered. Cook's number was called and immediately he gave a different label.

Three commercial radio writers were named judges of the second annual Drake University playwriting contest just closed. Judges are Burke Boyce, l turer in radio writing at New York University; Lyle Flanagan, continuity chief for WHO, Des Moines, and David Nowinson, copy editor for KRNT and KSO, Des Moines. There were more than 60 plays received, representing 30 states.

KFRO, Longview, Texas, has been airing series on syphilis and urging listeners to have blood tests made. Receptionist Joan Thompson had a hectic 15 minutes last week when a Negro woman hove in 'to get that test you talked about.'

Carl A. Doty, adv. mgr., of WOAI, San Antonio, Texas, and formerly with NBC's statistical dept., has mapped the coverage of the station through resort to 37,000 pieces of mail gathered in a two-week period as the result of six free offers.

Columbia Broadcasting System has exclusive privileges to all N. Y. state racing events. Sudden arrangement of Seabiscuit-War Admiral event from Belmont Park, Memorial Day, resulted in unexpected network plum. Bryan Field will announce.

ranville Hicks, whose appointment to faculty of Harvard University provoked a storm of discussion last week, has for some months been commentator for Troy unit of Communist party on a Sunday afternoon broadcast, 'The People's News,' over WABY, Albany.

J. Daniel Chamier's bio of Percy Pitt, of Covent Garden and the British Broadcasting Co., is being issued by Longmans Green today (20). It was published by Arnold in England. Pitt was the first musical director of the B. B. C. Introduction is by Sir Henry J. Wood.

Advertising dentists and opticians dominate Seattle commercials over some of the major stations according to a check made by the Izzard agency, covering a one-week period. On one station, of six local commercial programs, four were dentists. On another opticians headed the list.

Shreveport, La., is another city to file a dissent and 'not us' statement in reply to the recent Variety story about 'sound asleep stations.' Hy Heath of the production department of KWKH (CBS affiliate) and KTBS (NBC affiliate) takes out the records to show the local program activity.

Albert Lasker, who has been taking a leisurely trip around the world, is due back in May. Meanwhile, Albert Lasker, Jr., is increasingly prominent in agency activities. Particularly interesting himself in radio.

Recent radio review in Variety listed Antonio Almerechi as conduc with Carlo Morelli vocals. Alfredo Antonini is correct.

# RADIO SHOWMANSHIP

## (*Attention-Getters, Tie-Ups, Ideas*)

### Outstanding Stunts

, MARCH, 1938
NETWORK

**Footnote for Historians**

New York.

Columbia Broadcasting System's sales promotional putschists have concocted a booklet entitled 'Vienna: March, 1938—A Footnote for Historians.' It tells the story, intensely dramatic, of CBS' part in reporting the tragic 19 days that ended Austria.

Liberally excerpted from actual speeches, comment, word descriptions and transoceanic broadcasts the booklet is captioned by day and date and winds up with an epilogue in the 'ja' vote Sunday, April 10.

It is a handsome, socky bit of self-exploitation by the network.

**Day's Worst Accident**

St. Louis.

WEW, in the interest of safety, etc., is doing a 15-minute dramatization every Sunday on 'Yesterday's Worst Accident.' From facts obtained from police reports and hospital records scripters and sound effects men build up the program.

Nu-Process Brake Engineers sponsors the program, which plugs brake inspection and repairs as the best methods to avoid crashes.

**Cambus Programs**

Waco, Texas, April 19.

WACO now airs five programs weekly from campus of nearby Baylor university. Talent on shows culled entirely from the campus.

Programs are 'Baylor Little Theatre of the Air,' 'Three Blind Mice,' a swing trio, 'Baylor School of Music,' Faculty Forum,' 'Baylor Chapel Program.'

**Baseball 'Ad Liberties'**

Chicago.

Knox-Reeves agency turned out a four-page tabloid 'extra' during the conference it held last week with the 58 mike spielers who will do the baseball broadcasting for Wheaties, Mobiloil, Goodrich Tires and other products in 55 cities during the current season. Sheet was mastheaded 'Ad Liberties,' and will be issued at regular intervals until the current contracts run out.

Most of the printed matter in this year's itial issue dealt with Wheati

**KDON's Letterhead**

Monterey, Cal.

KDON, which has studios also in Salinas and Santa Cruz, prints on the back of its letterhead one of those figurine-studded maps showing just it is on the California coast and that, besides being a major resort center, the region has much in the way of class farming and lumbering.

**looked Items**

Hartford.

Oddities in the news, short human interest stories and other small features that receive little play in the daily papers are the subject of a new sustainer being put on ednesdays over WDRC.

Ray Barrett will make a special play on those stories missed by readers. Titled, 'Let's Look at the Inside Page.'

## Hartford Polish Contract

Hartford, April 15.

New Bri in Polish Men's Associ - tion set for series of 40 minutes Saturday afternoon programs over WTHT. Airing will consist of transcriptions in Polish language and announcements.

WTHT already has a half-hour Polish broadcast, sponsored by local merchants, on Sundays from 12:15 to 12:45.

### Imperial Tobacco Shows

Quebec, April 19.

Imperial Tobacco is now sending five programs over Station CHRC regularly.

Programs include Joson & Josette (B. Houte Tobacco), Hockeycast (Sweet Caporal Cigarettes), Sportscast, Canada 1938, Adventures of Arsene Lupin (O. K. Tobacco).

### Petry's L. A. Office

Ed Petry opening office in Los Angeles ay 1.

In charge of Chester

**Alan Savage** new program plotter at CHML, Hamilton. Formerly at WGR, Buffalo.

# LIL OF EVERYTHING IN WPEN MARATHON

iladelphia, April 19.

Lineup for new three-hour nightly Nevin Drug show on WPEN includes an hour of music by house band, an hour of variety entertainment and an hour of ultra-swingy swing tunes. Sandy Guyer produces and emcees the whole bout.

Backbone of the variety hour will be hillbilly gang, a comic a la Parkyakarkus, news commentator and coupla warblers. They'll be heard every night. In between will be alternated a trio, man-on-the-street, quiz show, puzzle box, an old song contest and interviews with visiting celebs.

First of latter is Glen Gray, Station plugged him all last week with frequent 15-minute periods of his recordings by special permish of Decca and 65 window displays in Nevin windows. ray is at the Earle this week.

Band leaders at the Earle usually appear on air interviews at other stations in town with no such publicity build-up as WPEN offered. But Ed Dukoff, outlet's p.a., swatting two birdies with one rock. He was also advance man for Gray.

# RADIO'S EFFECT ON AGENCIES

## CBS Vs. NBC Coverage Data

Following is a comparative analysis of the bases adopted by Columbia and NBC in laying out their respective coverage maps, which bases, NBC claims, are in essence pretty much alike:

| CBS | |
|---|---|
| 520,155 letters (Day and Night). | 1. 1,500,000 letters( Day and Night). |
| Response from offers in one week, twice nightly (14 offers of the same item). 520,155 also includes response to 21 daytime offers, not used in this evening study. | 2. Response from offers over long period ranging from six months to one year (hundreds of offers, all kinds). |
| Home county. | 3. Par county (typical of good signal plus relatively high mail). |
| Ratio of response to population. | 4. Ratio of response to radio families. |
| Primary area—Intense 50% to 100%; Very Good 25% to 49%; Overall 25% to 100% of Home County. | 5. Primary area includes all counties equal to or better than 'par county.' |
| Secondary area—Regular 1% to 24% of Home County; occasional, all counties from which mail has ever been received at any time. | 6. Secondary area—counties with response to 50 to 99% of par county.<br>Tertiary area—all counties with response 5% to 49% of par county. |
| 7. Individual station maps plus network maps. | 7. Individual station maps for M & O tions only; plus network maps. |
| Day and evening separat | 8. Day and evening not separated. |
| Night Coverage CBS network. | 9. Day and Night Coverage of entire NBC Red Network with WLW. |
| rimary, of all US Radio Families. | Area I, 93% of all US Radio Famili |
| Secondary, 9% of all US Radio Families. | Areas II and III, 4% of all US Radio Families. |
| 1, 100% of all US-Radio Families. | Total, 97% of all US Radio Families. |

## Salute Rival Station? Sure, with Reciprocity, Say Several in Phila.

Philadelphia, April 19.

Three Philly stations have accepted KYW's offer to pump half-hour show to them to celebrate move into new building, one has nixed it—and definitely—and another is still on the fence.

Trio which has expressed willingness to take the show includes WFIL, WDAS and WPEN. It was turned down by WCAU with a blistering reply.

WIP was also hot at the request when it was first made. Reply was prepared that it 'couldn't clear time.' It was switched, however, just before it was sent 'we'll try to clear time.'

KYW, in the meantime, has said nothing more about the show, especially since even the three stations which are willing to take it, unblushingly admit that its not undying love for KYW that prompts their generosity. All expect something out of it.

First, there's WFIL. It will hold dedication of its own studios during the same month as KYW does. Exact date will be decided today. Vice versa request to KYW is not out of the question.

And WPEN, according to Dwight Rorer, g.m., expects to move in a short time. It, too, might have a dedication along about next Fall: Thousand-watter thinks it would be nice if 10,000-watt KYW took its ceremonies.

## Elman May Get Gulf

Dave Elman, owner of the 'Hobby Lobby' program, sat in on a conference yesterday (Tuesday) with Young & Rubicam. Understood the agency made an offer for the show on behalf of Gulf Gas.

'Hobby Lobby' was on utual and CBS this year for Hudson Motors. Sponsor withdrew three weeks ago.

### DON GILMAN'S NEAR OP

Hollywood, April 19.

Don Gilman, western division head for National Broadcasting, was rushed to a hospital last week after suffering an appendicitis attack in Phoenix.

He escaped an op and returned to is desk today.

### Kaye Brinker's Changed Status

Chicago, April 19.

Kaye Brinker drops out as directress of production research for Columbia-WBBM, a post she has held for several months.

However, remains as performer on the 'Manhattan Mother' show, five-a-week scripter on WBBM.

## ROCKWELL-O'KEEFE IS U. P. PROGRAMS' REP

United Press has named Rockwell-O'Keefe, Inc., sales agents for a couple programs that the service has developed. One is the comic strip, 'Little Abner,' and the other is the dramatized news background series, 'Your World Today.'

News outfit has spent over a year expermenting with the background idea.

## Walter O'Meara Isn't Switching to Radio

alter O'Meara, copy writer at Benton & Bowles, New York, has been lending some assistance on radio. Led to report that he was being groomed for radio exec of agency.

Chester Bowles explains that this is not true. O'Meara is described as too valuable to agency at his regular duties.

## Fred Rich Quits CBS

Freddy Rich has resigned as a staff maestro for CBS, effective May 13. He will go to the Coast immediately afteerwards on a proposition that is jelling.

Rich has been a musical director at Columbia for 10 years.

## Aaron Stein to Time

Aaron Stein, radio columnist on the N. Y. Post, leaves the Dave Stern sheet on May 1 to direct a new radio department which Time magazine is inaugurating.

Weekly has given Stein a six-months' contract. When he joins the staff Stein will be sent to Washington for a week or so to acquaint himself with capital political backgrounds, before squatting down regularly in New York.

## Talent Outs at WOR

WOR, N. Y., Artists Bureau last week did not renew options on Embassy Trio, Martha and Hal, and the Keymen quartet.

Week before Vic Irwi orch batoneer, was dropped.

### LUM, ABNER BREATHER

Hollywood, April 19.

Lum and Abner will take a six-week summer layoff.

Sponsor, Postum, plans no substitute.

### Eddie Cantor Guesters

Lucy Monroe and Beatrice Fairfax are set for the Cantor-Camel program April 25. Giovanni Martinelli is set for the same program on May 9.

Sam Weisbord of the William Morris office handled.

## RESEARCH TREND ONE OFFSHOOT

### Fact-Finding Advertising World Largely Nursed to Its Present Importance Through Example, Needs and Leadershi roadcasting

### NOW WIDESPREAD

Radio believes that it is largely responsible for the broad strides that research has taken in the advertising world in recent years. Massive selling job which broadcasting performed in its self-proving period can be credited with making national advertisers so research conscious that today they rarely approve an advertising campaign ithout first having the potentialities of the idea probed.

It was not so long ago that an agency, set on weaning away an account, would make considerable ado over the fact that its organization included a research department. Today there's hardly an agency of even medium national standing that is without such setup. Maintenance of a research department dealing with merchandising and advertising effectiveness has even become a common requisite among manufacturers having national distribution. One notable case in point are the soap companies.

When radio entered the field the major advertisers were little inclined to take anything for granted. Even after they were induced to signature a contract they wanted reassurance from the networks that they had done the right thing. This attitude made it encumbent upon the webs to follow through with each campaign to determine not only the impression being made upon the consumer but what the dealers thought the use and effectiveness of the medium.

For the networks it was a constant succession of probes, with the result that much of the information they dredged up provided not only novel sales insights but developed in the advertiser a craving and habit for more and more research. With few exceptions, he wants to be sure that he will get the most of his ad-

(Continued on page 32)

## SWOR SUES ANTHONY OVER 'GOOD WILL' SHOW

John J. Anthony, conductor of the weekly "Good Will Hour" over WMCA, New York, was named defendant in an action filed yesterday (Tuesday) in N. Y. supreme court by Lawrence Swors, radio program promoter, who clai s to have ori inated the idea, and wants to share in the profits of the broadcast.

Plaintiff avers he proposed the idea to Anthony in May, 1936, and Anthony agreed to split profits. Subsequently Anthony obtained time over WMCA. The Knickerbocker Broadcasting Co., operators of the station, paid the defendant $25 per weekly broadcast, according to the plaintiff; later increased to $50 weekly.

Anthony admits he paid the plaintiff $1,250, but that their original agreement was mutually cancelled in July, 1937. Since January Anthony has been sponsored by the MacFadden Publications and currently by Ironized Yeast Co. Swors is suing for half of the defendant's income on these contracts.

## WMCA Opens Studios

WMCA, N. Y., opens its Broadway studios Thursday (21) and will have special doings for three nights from 9:30 to midnight.

Array of cuffo celebs lined up to speak a piece.

## Cathode Ray Reported in Disrepute; Television Back Where It Was; Lot Of Ballyhoo, but Not Much Progress

By FRANK SCULLY

Hollywood, April 19.

Tenth anniversary of the use of cathode ray in television finds the ray on the downbeat and the mechanical system, stemming from the scanning disc which Nipkow invented in 1873, again on the upbeat.

This, despite the high pressure salesmanship of a patent pool in three countries (U. S., England and Germany) which control more than 400 patents ing cathode ray in television.

Though at present Telefunken, Zeiss-Ikon and Loewe in Germany, Baird, Marconi and EMI (Electrical Music Industries) in England, and RCA, Philco and Farnsworth in the United States have pushed the cathode ray system, privately it is whispered most of them agree that the ray is now out commercially.

Baird in England has publicly gone back to the mechanical system, having worked out an image using 120 lines with color. Baird System of reception and projection derives from a mirrored drum 8 feet in diameter and projecting a 9 by 12 foot picture on the theatre screen. Quality, however, is very B.

### English Ballyhoo

In fact England has shown a great deal of showmanshi in advancing (ballyhooing) television with very little to show, but its return to the mechanical system has brought three rousing cheers from certain workers in the field in America and practically all Czech and Dutch engineers who have been working with mechanical television for some time.

Nearly all inventors were using the mechanical system until 1928 when the cathode ray stampeded them into believing this was the answer to television. It has taken most of them 10 years and many millions of pounds, dollars, marks, francs and rubles to discover that they were right in the first place and had better go back there.

Chief obstacle to the success of cathode ray system of reception and projection has been cost. Even the small 9 by 12 inch pictures presently used are not commercially feasible because of cost.

Tubes for reception cost $200 and burn out in 10 hours. After the second hour they lose so much of their power that the edges of the pictures are blurred.

Tubes to project them cost $500 though they may burn for 1,000 hours they also may burn out any time. Moreover they present a great hazard in that these tubes are under six tons of pressure to receive a 9 by 12 inch picture. That much pressure if things started popping would be like bombs over Madrid all over again.

Considering the midget character of the picture, the cost and hazards to achieve it convinced many cathode ray adherents that the game was not worth the candle-power.

Demand now is that a picture must be at least two feet by three with high definition, and at least 275,000 picture-elements to be a commercial proposition in show biz. Number of lines are not so important, but what is required is good resolution, engineers say, and 200 lines of good resolution are better than 800 with only fair resolution.

Inventors have found that 45 lines on the mechanical system are equal to 4,000 on cathode ray system because the quality is better under a mechanical system and the mechanical system has many other advantages within the range of the present radio broadcasti s stems.

iladelphia, April 19.

Television is paradoxically being held back because it is developing too fast, Philo T. Farnsworth declared here yesterday. 'The patents have become so numerous and so interlocking, it's almost impossible for one company to go ahead withou infringing on another,' he said.

Latest Farnsworth invention is an amplifier for television cameras that 'makes it possible to televise practically anything that can be photographed.' By the time of the World Fair next year, Farnsworth believes, visio will be ready for sale to the American householder. Five stations—two in Philly, two in New York and one in Los Angeles—should be airing regularly by then, he said, although receiving sets will still be pretty expensive.

'It will take us five years at least,' he averred, 'to get them down to $125.'

## British Guards Band Can't Air While in U. S. A.

Coldstream Guards band will not be permitted to do any broadcasting, even if it's only for a buildup of the organization's proposed tour of this country and Canada. Joseph N. Weber, American Federation of Musicians prez, so notified NBC, Columbia and Mutual yesterday (Tuesday) after he had been approached on this topic by persons interested in promoting the Guard's personal appearances on this side.

Music Corp. of America was the first to talk about bringing the Coldstreamers over but after MCA became chilled on the idea the William Morris office started negotiations. The N. Y. World's Fair is reported to be interested in the British band.

## CBS APPRENTICE SETUP UNCERTAIN

Columbia won't decide until ay 15 whether to drop or continue its system of employing college graduates as apprentices. Web has been considering postponing this ty of employment, if any, to the fall.

Applications for such assignments start piling in about this time from collegiates who are due to get their diplomas in June.

## Weed-Calder Co. Apart

Partnership of Richard Weed and Crane Calder in Amsterdam Artists Service dissolved this week. Incorporated label has been dropped and Walter Scanlon will be associated with Calder in revis setup.

Weed opened Amsterdam's branch office in Hollywood about a year ago. He will remain there as owner of own Weed agency, residue of the former alliance.

## KFRU Has St. Loo Games

Columbia, Mo., April 19.

KFRU today (Tuesday) commences carrying play-by-play the home games of the St. Louis Brown and Cardinals, picked up from the ballyard. First time central Missouri has ever had games broadcast from St. Louis.

Kellogg is sponsoring.

### De-Pressure MacMillan

Rochester, N. Y., April 19.

WHEC adds Jack Barry, local pro athlete, to staff as baseball expert to give play-by-play accounts of ed Wing games in the International. Sponsored jointly by Kellogg and Atlantic Refining Cos.

Addition relieves Lowell MacMillan, who heads station's sports department, mikes two daily sports reviews for Socony as well as priz fights and other special events.

**MORTON DOWNEY**
**Tenor**
**CAMELS**
**Monday, 7:30 p. m.**
**WABC-CBS, New York**
*(Esty)*

Inactive on the air for some time, Morton Downey, one of the whammers of the early rush of new personalities from 1930 on, came back Monday night on the Eddie Cantor stanza. By coincidence, the program following, a beer co-op show, had Jane Froman, another radio singer who has been little heard from of late.

Downey, currently at the Casa Manana in New York, is a topflight singing personality today, as heretofore. His authoritative approach to a ballad is an invitation to a public disturbance. For Camels he was standout. Color, warmth and diction, and with it an ability to handle dialog engagingly and with poise. It's a return, incidentally, to Camels on a show for which he starred in the past.

It was, all in all, probably the best to date of the Cantor endeavors for Winston-Salem's leading industry. A sweepstakes winner was again mimicked for socy laughs. Bert Gordon and Walter Woolf King worked in solidly. King, incidentally, did a bit of singing, his first on this show. It would be condescending to say it was good singing; he having been an operetta star for years. But it will go into the record as a novelty to most of the radio listeners. Radio's like that. And the novelty angle is smart and smartly handled showmanship. *Land.*

**JOSEF CHERNIAVSKY**
**'Musical Camera,' with Josef Cherniavsky, Kresup Erion, Steven Merrill, the Highlighters, Del King**
**Musicale**
**30 Mins.**
**Sustaining**
**Sundays, 6 p. m.**
**WLW-NBC, Cincinnati**

Josef Cherniavsky, new to WLW, leads an orchestra of 26 pieces. Slick balance on each number and selections are expertly grouped. Output is a refreshing bracer for the heavy outpouring of Sunday night comedy programs. Show originates in the 2,200-seat Emery auditorium, with a gratis gate for spectators.

Auditors are invited to contribute suggestions of scenes from life which Cherniavsky will put in musical setting. They're rewarded with copies of his theme number, which blends his own 'Bells of Avalon' with fanfares of Beethoven's Fifth Symphony.

Vocal support is strong. On program caught Kresup Erion, soprano, went to town in an early spot. A few tunes later Steven Merrill, lyric tenor, registered with 'You Took the Words Right Out of My Heart.' Another vocal clicko was by the Highlighters, mixed septet, directed by Grace Clauve Raine, Crosley's vet song coach.

Del King smooth on announcements. *Koll.*

## Follow Up Comment

**Major Bowes** remains as the unique paradox of show business. Year after year the Major has reworked his trick formula. It's manifestly an appeal to the sentimental. Peasants like to fancy the Major is giving a boost up the ladder to a flock of talented beginners and that they as listeners are somehow in on it and even helping a little.

To those connected with show business the program is apt to react quite otherwise. But that can be charged off under 'So what?' Despite all quibbles the Maj remains right up there in the hearts of the yokelry and still not bad in the listeners ratings. He stumbled on a magic formula and it continues to work for him. Only in radio could such a miracle be possible—and even in radio there's only one Major Bowes.

Last week's program (14) brought an array of amateurs who were, if possible, even lower than usual for the Bowes series. Only one seemed to have any trace of the stuff to stir an audience; and in her case the appeal was largely a sentimental one because of the girl's apparently desperate circumstances and high courage. But to the initiated, even that case had just a little too pat a sound; it seemed hardly possible that the girl's history and her behavior before the mike could be quite ideally suited to the major's program requirements.

Girl was announced as Helen Warner, who hitch-hiked from Denver to get a chance on the show. From the sounds (and obviously the studio audience was convinced and emotionally overwhelmed by it), the girl was so nervous and excited at last to get what she considered her great opportunity that she was almost too breathless to talk. However, she told about hitch-hiking from Denver because, she said, she has to take care of her four-year-old baby.

All this seemed to be pretty funny to the Major. He just couldn't suppress his good humor, and even as he cautioned her not to be frightened, but to take her time, he had to chuckle his celebrated Bowes chuckle. That doubtless illustrated to yokel America the Major's boundless kindliness. Then he jokingly asked the almost choking girl if she was excited just to be so near Major Bowes.

Having sung 'Basin Street Blues' in a fairish moanin' low style, Miss Warner was informed that the manager of a Denver theatre had wired he wanted her to join the Bowes unit currently playing the house and that the beneficent major would send her back by plane. It had the ring of a true Cinderella ending, but if the whole thing was staged in advance who would believe it?

Outside of that, the stanza was typical Bowes. There were the usual hopeless beginners, each with his different approach before the mike. There was the Major's patronizing kindliness and his familiar 'all right, all right,' and there was his ballyhoo for a special city. This time Flint, Mich., won the honor and the city officials were properly grateful—and consequently so was the telegraph company. Bowes still handles his own commercials. This time he used the juvenile urge to take watches apart as a springboard to deliver a pedagogish spiel about Chrysler gears.

**Annette Kellerman** came out of retirement last Thursday night (14) to recall for listeners to the Sanka coffee program (CBS) how she came to introduce the one-piece bathing suit away back yonder. It made an interesting bit of reminiscence, patly written and sprucely recited.

She didn't originally wear one, Miss Kellerman said, to be daring. For if she was to be a long distance swimmer, her father figured, she would have to cut out the cumbersome bathing apparel the women were wearing at the time. First time she won the one-piece outfit in the United States she was pinched by the Boston cops, but a sympathetic judge dismissed the case.

**Old Shay Ale's** 'Night at the Inn' on WCAE, Pittsburgh, still fumbling around trying to hit a sound formula. Show's big lack has been comedy and last week sponsors stuck in Ted Blake, nitery clown, as m. c., also giving him a monologue spot for his own chatter. Blake has a nice, easy delivery, intimate and casual, but material works against him. Lines are called from a first edition of Joe Miller and, with show going out sans a studio audience, results are pretty deadly.

Billy Catizone's Swinging Strings have been increased from six to nine pieces, with commensurate effectiveness, and vocals are being handled nicely by Jeanie Baxter, Bob Carter, Tommy Tarshis and male quartet. Program, however, lacks zip and pace.

**Horace Heidt** is running away so far from the other late-hour band sustainers that it isn't funny. It's the answer to why and how Heidt has come up fast and strong of late. It's an example also to the other maestros that they better start thinking up some new ideas.

Almost every other band makes it a marathon of pops. First the announcement, then the tune. Sounds like they're working for the radio log, to see how many they can reel off to oblige the Tin Pan Alleyites. No color, no nuance, no novelty, no nuthin'.

Heidt personalizes himself, his band, his company, his music and his customers. Of course his emphasis on an individual style is such that none could essay anything like it, but he's a good sample of what a little intelligence and thought can do. His chatty, informal palaver with the customers has not become trademarked. His casual plugs for his band, his magician, his musicians, his singers, et al., are nonetheless not lacking in emphasis.

His Q. and A. routine, a mild form of Prof. Quiz, deftly works in the commercials for the hotel, viz: 'What hotel is famed for its slogan, meet-me-under-the-clock,' of course meaning the Biltmore, New York.

Way in which he worked in Maria Grever, the composer of 'Ti-Pi-Tin,' which Heidt discovered in mss. was good showmanship. In fact showmanship of high order keynotes his series of broadcasts.

Leo Reisman is another to use showmanship. His studied screwball manner of announcing his titles, and the Bohemian inflection of his voice; plus, of course, that fine shading and highlighting distinguishes the Reisman rhythms. The swing-and-sway and kindred singing title ideas are further in an endeavor to try some novelty.

**Susan HAYWARD, Bruce LESTER**
**'King and the Chorus Girl'**
**Transcription**
**30 Mins.**
**GRUEN WATCH**
**Friday, 7:30 p.m.**
**WMCA, New York**

Pair of unknowns were spotted in the leading roles in a radio synopsis of the Warner Bros. film, 'King and Chorus Girl,' released last year. Parts were handled in the film by Joan Blondell and Fernand Gravet. For the radio discs it was Miss Hayward, former artists' model, and Bruce Lester, English filmite. Lester's British accent didn't help create illusion of a continental. Miss Hayward's portrayal of the American dancer who accepts the job of rousing the ex-king from his drunken routine, didn't quite give the role the breezy style imparted by Miss Blondell, but it was nevertheless convincing. Ralph Bellamy handled a trailer on next week's story, giving a brief synopsis.

Commercial was spiced in news events tones at the outset. Story was split into two acts to allow for another midway.

**'Steine Bottle Boys'** (originally the Funnyboners) will have Bunny Berigan, Adrian Rollini, Teddy Wilson, Lionel Hampton and Duke Ellington and other swing specialists doing individual guest shots on their WJZ, N. Y., series.

## TALENT MILLS

### NO. 9—WGN, CHICAGO

Quin Ryan and WGN, sometimes known as WGN and Quin Ryan, have been in there fighting from the start. Station was always strong, like its pappy, the Trib, for asserting itself. Item: NBC. Item: CBS. Item: WBBM. Local programs and ideas were plentiful. Play-by-play of baseball was germinated as early as 1926. Sports and Uncle Quin had formed a lucrative partnership as early as 1924 with the Kentucky Derby and Indianapolis auto races. Ryan's penchant for sports has kept WGN pretty much a sports station always but the station by reason of its desire not to be the hapless and helpless creature of either or any network was forsooth ever an advocate of local production. So the pioneering was not limited to sports.

In bringing to radio some of the Tribune cartoon strips WGN was a trail-blazer. Some of the original examples of dramatic radio authorship were, it is true, classic clambakes but with it all WGN never lacked enterprise and ambition.

In January, 1926, the records disclose Sam and Henry started on WGN. Now they call themselves Amos 'n' Andy. Pat Barnes, East and Dumke and Irene Wicker are other prominent old grads.

Today and for some years WGN and dance band build-ups have had a pronounced affinity. Wayne King, Ted Weems, Jan Garber, Joe Sanders, Kay Kyser, Hal Kemp and Bernie Cummins have gained a measure of their fame via WGN.

**'PET CLUB'**
**With Steve Severn, Ray Winters**
**15 Mins.—Local**
**STRONGHEART DOG FOOD**
**Saturday, 12:45 p.m.**
**WOR, New York**
*(Chas. Dallas Reach)*

For the urchin contingent of the army of dog-lovers. Steve Severn unreels a flock of views and anecdotes about pooches, their loyalty to their master, value for protection against thieves or thugs and worth as companions for youngsters. Has a forthright, hearty style of speaking, though his voice comes through as somewhat thick.

Real meat of the show is a weekly contest by which the juves can win free puppies from the Doyle Packing Co., makers of Strongheart dog food. Requires letter explaining why the kid wants a mutt and containing three Strongheart package labels. Winning moppets appear on the show to receive their dogs and mumble a bewildered thanks.

Commercials are handled by Ray Winters and are inclined to be overboard on length and claims. *Hobe.*

**JANE FROMAN, HUGH HERBERT**
**With Ted Husing, Dick Humber Orch.**
**30 Mins.**
**BREWERS CO-OP**
**Monday, 8 p. m.**
**WABC-CBS, New York**
*(U. S. Advertising)*

This is the substitute program bearing the title 'You Said It,' which takes the place of the much-buffeted Lou Holtz. A guest policy has now been adopted. Two a week is the idea, and for the getaway Jane Froman was flanked by Warner comic, Hugh Herbert.

Miss Froman, first of all, was a strong asset and a worthy guester. She registered a couple of offerings in a respect-commanding sample of experienced professionalism.

Herbert's main contribution was a hoke bit about a scatter-brain who wanted a divorce from a wife who, upon interrogation from his lawyers, was responsible for all his success. In the end the light dawns. It's not easy to classify this sort of stuff because of its hit-'n'-miss hokum. His forepart chore was equally ineffectual, with too frequent recourse to the stock yoo-hoo.

Program tends to shake down into a Ted Husing sports talk plus lots of Dick Himber music. Husing will interview sports celebrities weekly. Both elements have strong plausible appeal. *Land.*

**FRED WARING**
**With David Cunningham Garroway, Jr.**
**Publicity Stunt**
**15 Mins.**
**Sustaining**
**Friday, 8.15 a.m.**
**WJZ-NBC, New York**

Lads at KDKA, Pittsburgh, conceived the idea of boarding a train bearing Fred Waring's band into Smokeville for a vaudate and waking up the gang and quizzing them. Got off o.k., with Garroway getting to Waring and then the orch leader waking up his charges. At that point the stunt started to sour. Voices came through unintelligibly and there was no spark of humor.

Waring got the mike before the girls, too. But Betty Atkinson, Donna Day, Jane Wilson and Evelyn Williams did little more than tell their home towns and ages. Too bad. Even the comedy drummer in the orch, Poley McClintock, let the stunt down.

Big disappointment, however, was fact the time was up before the glee club could lift their voices. Latter was announced by Waring and Garroway, but then Garroway gulped and said time was up. When stunt was plotted, band was to awaken on train and grab instruments for a salvo or so. *Bert.*

**'DEATH VALLEY DAYS'**
**30 Mins.**
**FRANCIS LONGMORE, LTD.**
**Twice Weekly**
**3 XY, Melbourne**

Killed by having local actors attempt American lingo. Dire results. Would be same as spotting American players in Australian bush comedy. Advertising is crisp and does not interfere with the continuity. *Rick.*

SWITCH TO THE QUICKEST ROUTE
.. to this billion dollar market

Nor is there any guesswork about WTIC as the QUICKEST way to reach this billion dollar market. It tops its field in popularity with listeners—outranking the next most popular station in the Hartford area by more than two to one! And look at this record as Southern New England's most popular station ith ADVERTISERS—

FIRST In Number of Network Advertisers
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WTIC 50,000 WATTS
HARTFORD, CONN.
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KROC
ROCHESTER MINNESOTA
CROSSROADS OF THE NATION STATION

| | Primary | Secondary |
|---|---|---|
| Population | 239,794 | 237, 1 |
| Families | 57,324 | 58,271 |
| Radio Homes | 51,459 | 50,347 |
| Retail Sales | $67,328,000 | $39,851,000 |
| Spendable Income | $109,358,000 | $87,491,000 |

89% of all families own one or more radio sets. Nearly 500,000 persons are KROC minded.

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THE test of any trade publication—or broadcasting station, for that matter—is this: Is it geared for coverage?

Inca music is surefire program far in Peru, but its n.g. Boston.

Just so with a trade publication. It if can't match in usefulness, dollar for dollar, what the readers spend in buying it—what's the sense of the whole thing?

From its inception, the VARIETY RADIO DIRECTORY, has held the following principles of primary importance:

1. That the radi industry, like all others, buys and sells its services on a brass-tack basi and that a trade encyclopedi to fulfill its destiny, must deal i. brass tacks and not orchids.

2. That a trade publicati fools itself when it fools the trade.

The gearing of the VARIETY RADIO DIRECTORY to the needs and requirements of the market—the potential coverage area, if you will—has born the following brass-tacks results:

Advertising agencies controlling 96% of all national radio money have each availed themselves of from one to 15 copies of the Directory (and at $5 the copy).

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To members of the industry, alert to the possibilities of this solid coverage in terms of reaching the people WHO PILOT RADIO'S MONEY, details on advertising rates, etc., are available at the nearest VARIETY office.

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| NEW YORK | CHICAGO | HOLLYWOOD | LONDON |
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| 154 West 46th St. | 54 W. Randolph St. | 1708 No. Vine St. | 8 St. Martin's Place |

# Pacific Coast Notes

**Dick Webster** checked out as KHJ (Los Angeles) promotion manager.

**Harrison Holliway** east in quest of super power for KFI (Los Angeles).

**Pat Patterson** upped to continuity chief at KEHE (Los Angeles).

**Frank Scully** barred from KFAC (Los ..ngeles) broadcast because his script took too many cracks at hizzoner the mayor.

**Al Jolson** may take his troupe east for the May 26 broadcast. On that date he passes another birthday and his fighter, Henry Armstrong, goes questing for another title.

**KGER** (Long Beach) going on a illboard binge.

arlon **Talley** starting her second year on the air for Ry-Krisp.

**Jalk Rosenstein's** claim that Lloyd Pantages copped his radio idea thrown out of court. Press agent sued for $20,000.

**Al Jolson** flying his producer, Ben Larsen, to Hawaii after current series ends.

**Don Prindle** has the candid camera bug bad.

**Chester Lauck** (Lum of Lum and Abner) stroked a 70 t.. put George Burns' score to shame.

**Mel Ruick**, Lux announcer, and Lurene Tuttle, radio actress, passed 10th wedding anniversary.

**Elza Schallert**, sustaining film interviewer on National Broadcasting, is the mother of three sons, ranging in age from 7 to 11. But no sustainers are they. Organizing a neighborhood kid band they combed the territory for a bankroller and came up with a merchant who bought them uniforms and instruments. Now they're looking for a radio sponsor.

**Cornelia Burdick**, who does the title role in the 'Dr. Kate' serial over NBC's coast red web from San Francisco, had to be written out of the script for two days last week by author-husband, Hal Burdick, ile she recovered from flu.

**Adriel Fried** will manage new Santa Cruz studios of KDON, Monterey (Cal.).

## Sweetness

Los Angeles, April 19.

KHJ's call letters have been somewhat of a mystery until Willet Brown, station exec, came forth with an explanation.

The K stands for kindness; H for happiness, and J for joy.

## DEREK M'CULLOCH LOSES LEFT FOOT

London, April 12.

Most unlucky man in British broadcasting is Derek McCulloch, popular B. B. C. figure and conductor of daily Children's Hour under the alias of 'Uncle Mac.' He was badly scarred in the war, losing an eye and being pumped full of shrapnel, which affected his subsequent health.

Last week he ran into a car smash, pulped his left foot, and Sunday (10) the surgeons had to amputate it. Keeping his courage up, Uncle Mac has had letters of sympathy from almost every kid in the U. K.

## An Open Secret

very radio agent in New York seemingly knows that Texaco is looking for a new show. Wants a name star. Eddie Cantor was its last satellite.

Talk of Sir Harry Lauder being brought to America to head a Texaco variety program.

## Betzy Tuthill Promoted

Betzy Tuthill, in radio less than a year, has been made an assistant director at WABC, New York. Since joining Columbia's staff last year she has worked for Irving Reis and William N. Robson, both Columbia Workshop directors.

She also directed 'Epic of America' for the Federal Radio Theatre, a 13-week program over the Mutual network.

### Arthur Murray on Air

Arthur Murray, dancing teacher, started a series of 30-minute broadcasts over WNEW, N. Y., yesterday (Tues.). Program is set for 9:30 p.m. each Tuesday night. Arthur Murray orchestra and Bob Stewart, vocalist, will assist him.

Shag and rhumba dances will be taught in first broadcasts.

## Play-By-Players Organize

Columbus, April 19.

Baseball broadcasters in eight American Association cities have organized American Association of Baseball Broadcasters with George Higgins of WTCN, St. Paul, as president and Johnny Neblett of WBNS, Columbus, executive secretary. Headquarters will be divided between St. Paul and Columbus.

Other members are Connie Desmond, WSPD, Toledo; Norman Perry, Jr., WIRE, Indianapolis; William Allen Stout, WHAS, Louisville; Morgan Sexton, WCCO-WMIN, Minneapolis; Walt Lochman, KXBY, Kansas City, and Allan Hale, WISN, Milwaukee. Organization was effected at recent General Mills confab in Chicago.

Patterned on American Association of Baseball Writers, purpose of organization is to foster more uniform play-by-play picture of league games.

## Names Parade For Hollywood CBS Whoop-de-Do

Hollywood, April 19.

Columbia's west coast production staff, under Charles Vanda, on April 30 when new CBS Hollywood plant opens, will start at 6 a. m. and salute and salute, barring three commercial intrusions, until 12:45 a. m. of the next morning. Two hours of the programming will be taken by every network transmitter and for the most part short waved around the world.

To avoid the problem of billing and spotting stars they'll be in the order of their weekly appearances. Eddie Cantor is this Monday night's start off. Then C. B. DeMille of Lux. Tuesday's contribution will be Edward G. Robinson and Claire Trevor in a dramatized highlight of their 'Big Town' series. Other Tuesdayites to follow will be Al Jolson, Martha Raye and Victor Young batoning a rendition of his original tone poem, 'Columbia Square,' composed for the occasion.

In the Wednesday contingent, beside Lum and Abner, and possibly Fred Astaire, will be a re-creation of the Gershwin Memorial Concert, voted by radio editors as one of the most outstanding broadcasts of the year. Memorable tunes of the great composer will be sung and played, with Ruby Izey, of 'Porgy and Bess,' warbling 'My Man's Gone' as an inferential reference to the departed songwriter. Milton Berle represents Thursday in Hollywood. with possibly one or two more added starters.

In the Friday section will be the Hollywood Hotel contingent, comprising Frank Parker, Ken Murray and Oswald, Frances Langford, Raymond Paige's orchestra, Ken Niles and Louella Parsons. Brief talks by William S. Paley, CBS prexy, and Donald W. Thornburgh, western chieftain, follow.

Roymond Scott's quintet. Bob Hope. Shirley Ross and Wilbur Hatch's studio orchestra hold up Saturday's end. Concluding the two-hour transcontinental colossal will be the Sunday troupers, with Jeannette MacDonald, Jean Hersholt in a highlighted dramatization from 'Dr. Christian,' Joe Penner, Gene Austi , Lud Gluski and the Simeone Chorus.

Half-hour windup of the day's activities will be one of the most unique ever attempted. Titled 'That's That,' it will bring to the mike janitors, charwomen, moppers and other menials, moving into the big plant to clean up the mess. All will have speaking parts, without benefit of script, to give their idea of inaugural parties and what a pain in the neck they are to the mop brigade.

## Beer-Sports Go Together

St. Louis, April 19.

Hyde Park Brewing Co, contracted for a 15-minute sports review over WEW with Alex Buchan. Addition to WEW to its lineup gives the br wing company sports program on four of the town's five stations: KMOX, KWK and WIL.

Griesedieck Bros. rewing Co. is bankrolling sports programs over KSD.

## *Radio's Effect*

(Continued from page

vertising dollar before he agrees to appropriate it.

Service rendered by broadcasting had much to do with stimulating the advertiser's interest in probing the value of other media, such as newspapers, magazines and billboards. Out of this demand there stemmed, for instance, the introduction by Daniel Starch of the consumer check on printed ads and the establishment of the Harvard Traffic Research Bureau, the latter to study the effectiveness of billboard advertising.

With advertisers getting more and more hep to research values, agencies as a whole began to see the light. In place of the elaborate and grandiose album of art, the agencies in soliciting accounts showed samples of studies made by their research staffs. Some of them even went so far as to give the personal social alliances of an officer of the agency subordinate spotting to the academic and practical background of the agency's research director.

### For Own Amazement

Impression current in some advertising quarters is that agencies will in due time put their research departments in charge of practical advertising men rather than ex-college professors. Most of the latter, these quarters point out, have been inclined to do lots of probing for their own amazement rather than for its usefulness to the outfit they're working for.

Cited as likely pointing to the new trend is the recent appointment of J. Brooks Emory, former Ruthrauff & Ryan assistant copy chief, to the head of Benton & Bowles' research department and the entry of John Rennie, another ad man, as top researcher for Kenyon & Eckhardt.

Some of the New York agencies with research departments and the heads of such setups follow: Young & Rubicam, Dr. George Gallup; B.B.D.&O., Bob King; J. Walter Thompson, Arno King; McCann & Erickson, L. D. H. Weld; Pedlar & Ryan, Frank Coutant; Lord & Thomas, Robert Ledding; Arthur Kudner, Inc., J. W. Mallard; Federal Advertising Co., David Robinson; Ruthrauff & Ryan, Stanley Newberry; D'Arcy, J. M. Dresher; William Esty, Westly Combes; Brown & Tarcher, Dr. Frank Hypps; Campbell-Ewald, George Kramer; and Morse International, Wilk Johnson.

## CBS' 'IF' IDEA AUDITION

### Audience Participation Based on Frustrated Ambitions

Columbia's program dept. will audition April 29 a new novelty audience participation show bearing the title, 'I'd Rather Be——.' Deals with what folks would have done if they could.

Prof. Walter B. Pitkin, who has not been active in radio since his 'clearing House of Hope,' will conduct. Harry Salter orchestra backs up. Marty Gosch producing for CBS.

Idea was suggested to CBS by a Rabbi Trattner of New York.

## MAWHINNEY'S MOVE

Los Angeles, April 19.

Les Mawhinney has resigned his Coast managership of Transradio Press to join KGER in Long Beach.

He will supervise production.

### MBS Philadelphia Pick-Ups

Philadelphia, April 19.

Three utual net shows will originate from WFIL here within next coupla months. Sunday, May 13, George Jessel and Norma Talmadge will air their 'Thirty Minutes in Hollywood' from the station when they're in town on a vaude tour. Dr. Charles M. Courboin, organist, will use WFIL's new Kilgen console for his show on May 1.

Dr. Harry Hagen's 'True or False' show will originate from Philly June 6.

## Shepard Cancels Vitalis Because Guest Star Was Rival Weather Forecaster

Boston, April 19.

To provide a reason for cancelling the Vitalis program 'For Men Only' because of the presence thereon of a guest who was distasteful to John Shepard, 3rd, the Yankee network arranged a forum of congressmen, pro and anti-reorganization bill, which was piped into Boston from Washington. Cancellation of the commercial in order to accommodate a 'public service' program then followed.

Thus did Shepard make good his threat that E. E. Rideout, weather forecaster for WEEI, Boston, and rival to a weather service of Shepard's, would not be carried. Shepard ignored Bristol-Myers, Pedlar & Ryan and NBC in the matter. CBS okayed the appearance of their man on NBC, but permish was not echoed by Shepard, who burned when as his first intimation he read a WEEI publicity release. Weather bureau is a Shepard pet.

## RCA Guesters

Dr. Walter Damrosch has been set to guest on the RCA 'Magic Key' program over NBC-blue on May 1. Composer-conductor will get $1,1

Following week (8), guests on 'Key' ill be Cecilia Loftus, getting $825, and Ramona, swing pianist, getting $275.

## Gaynor Peddles Wax

Sid Gaynor, of the Don Lee Network, was around the ad agencies last week auditioning some waxed shows that he had brought along with him. George Bolling, New York head of John Blair & Co., made the rounds with hi .

Gaynor came east primarily for a vacation.

### Margaret Speaks enewed

Although continuation of same program is not certain, Firestone has already renewed its contract with Margaret Speaks. Sponsor is undecided about continuing heavy music series over summer months.

Renewal calls for 26 performances out of calendar year and also meant a salary increase for singer.

WMCA
extends a cordial invitation
to all members of the
Advertising Fraternity
to visit its
New Studios
of
Modern Functional Design
on
Broadway at 52nd Street
New York City
Courtesy Cards will be sent on request

Results COUNT MOST
WLEU
ERI , PENNA
NBC
The only station covering this city of 100,000
WEED & COMPANY
RADIO STATION REPRESENTATIVES
NEW YORK • CHICAGO
DETROIT • SAN FRANCISCO

In Baltimore, it's
WFBR
ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

FOR SALE
THE SHOW-PLACE of the
THOUSAND ISLANDS
Ideal for some big-wig in the show busi
without paying for it.
Owner moved to a distant state. Must sell promptly.
Cost over quarter million. Can be bought for a song.
This gorgeous property can be seen by appointment.
Wire, Write or Phone
WILDER
307 Syracuse Bldg., Syracuse, N. .

# Educational Rally, May 2-4, Lines Up Array of Speakers from All Sides

Columbus, April 19.

r. James R. Angell, NBC's educational counselor; H. V. Kaltenborn and Cesar Saerchinger are among speakers for Ohio State University's ninth annual Institute for Education by Radio here May 2-4. Dr. Angell will speak on 'The Puzzling Perplexity That Is Radio' at dinner session May 3. Kaltenborn will preside at closing session May 4, at which awards will be made in second annual exhibition of recordings of educational radio programs. Saerchinger will talk at morning session May 4.

r. W. W. Charters, head of Ohio tate department of educational rearch, is director of the institute and 1. ith Tyler is secretary.

Major part of three-day program ·ill be devoted to work study groups. Subjects and leaders are:

Agricultural broadcasts, Wallace Kadderly, acting chief of radio service, Department of Agriculture; school broadcasts, Paul T. Rankin, Detroit public schools; radio courses in universities, Cline M. Coon, New York; research in radio education, Frank N. Stanton, CBS manager of market research; technical radio developments, J. H. Dellinger, chief of radio section of U. S. Bureau of Standards; broadcasts for general education, Sterling Fisher, CBS director of radio talks and education.

Others from radio who have places on the program are: E. M. Kirby, WSM, Nashville; Harold B. McCarty, WHA, University of Wisconsin; Julius F. Seebach, WOR, N. Y. program director; Judith Waller, educational director, NBC; Byron B. Williams, WOSU, Ohio State University; Joseph Ries, WLW educational director; Ernest La Prade, irector of music research for NBC; rederic A. Willis, assistant to the president, CBS; Robert J. Coleman, WKAR, Michigan State; Ben H. Darrow, educational director WBEN, Buffalo.

Franklin Dunham, NBC educational director; Elise Sprott, British Broadcasting Co.; Robert Stephan, radio editor, Cleveland Plain Dealer; C. F. Klinefelter, vice chairman, Federal Radio Education committee; Paul F. Lazarsfeld, director Princeton radio research project; Allen Miller, director Universi Broadcasting Council, Chicago.

Judges of exhibition of recordings of educational radio programs will be Belmont Farley, National Education Association; Kenneth Bartlett, Syracuse University, and Thomas Rishworth, KSTP, St. Paul.

## Mike Melts Copper

Philadelphia, April 19.

Speaker skedded to gab on WIP last Thursday night arrived trembling. While being given voice test by announcer and panelman his hands shook so he couldn't hold the script. Was better on the broadcast, but when finished declared: 'I'd rather face a dozen tommy guns.'

Guy was A. B. Leckie, newly appointed Philly chief of Federal Bureau of Investigation.

## Hartford Ball on WTHT

Hartford, April 19.

John S. Lloyd of WTHT will handle all games of Hartford Laurels this season. Les Quailey of N. W. Ayer & Son, agency for the Atlantic Refining Co., sponsors of Eastern League game broadcasts, set Lloyd. Was chosen over about 20 other announcers from various spots.

To re-create out-of-town games, the station is installing a Western Union ticker. Station has already sold rights to the Imperial Dyers and Cleaners of this city for daily 6 p. m. ball scores of all leagues. If time conflicts with running play-by-play description of the Laurels, it will be moved from 6 o'clock, to follow immediately after the final inning is played.

## KYW Drops illing

Philadelphia, April 19.

KYW, which caused giggles among Philly kilowatt crews a couple of weeks ago by sending out publicity announcing its new building would be known henceforth as 'Radio Center,' abrupty dropped the tag this week.

WPEN, 1,000-watt indie, has been plugging title 'Radio Center' for years, which was apparently known to everyone but KYW.

# GOOD WILL IN COLUMBUS, O.

Columbus, April 19.

Everything rosy between press and radio here. Era of good will extends even to newspaper-owned station and opposition paper. Latter illustrated by recent invitation to finalsists in spelling bee conducted by The Columbus Citizen to appear in exhibition match with finalists of Professor Jay's Spelling Bee on WBNS, owned by opposition Dispatch. WBNS spelling program is sponsored by Gilbert's Shoe Store.

Citizen radio column has never discriminated against WBNS news, giving three local stations equal space break. With advent of Carl De Bloom as Dispatch radio editor, WHKC has been getting some space on Dispatch radio page after being practically ignored for several years. WCOL, formerly owned by Dispatch, but now under new ownership, fares equally well in both sheets.

Citizen devotes three columns a day to programs and radio column, Dispatch space varies but probably averages the same as Citizen. Morning Ohio State Journal carries programs only.

## WDAS Sells INS News

Philadelphia, April 19.

irst sale of news from its recently-acquired INS wire has been made by WDAS to Bruder Paint Co.

Quarter-hour across the board will include daily short talk by Jane Adams, firm's decorator.

# Anthony Makes Deal for KECA With Figure of CBS Lurking In Background; See Move to San Diego

Los Angeles, April 19.

Earle C. Anthony last week concluded a deal for the sale of KECA to Warren B. Worcester of San Diego for a consideration reported around $100,000. Everything goes with the sale except the call letters, which are the owner's initials. Harrison Holliway handled the negotiations in Chicago.

Anthony recently acquired KEHE from the Hearst interests. Plan is to use that station's wave length with KECA's call letters. Latter has been the blue outlet of NBC. Both deals, naturally, must have the blessing of Federal Communications Commission before transfer can be ratified.

Announcement of the deal created considerable discussion among the in-on-the-knowers as to Columbia's participation in the arrangement. Network has for many months tried to land a transmitter in San Diego without success. Due to a meteorological condition, KNX's 50,000-watt transmitter does a fade at the border, some 130 miles to the south. Engineers installing the apparatus in another location are not so sure the fault will be remedied. Ergo, the speculation that KECA's wave length will be moved to San Diego and there become a CBS outlet.

**How It Adds Up**

Contributing to such a theory are recent developments in the matter of applications to the comish for a San Diego transmitter. Vic Dalton's Pacific Acceptance had its bid rejected as have many others. Publisher Copley's Union-Tribune has an application on file which was to have been acted on next week. sudden was the announcement that sudden was he announcement that Worcester had struck a deal with Anthony for KECA. Some claim that Worcester is frontin San Diego newspaper, tied in on the deal.

Both National Broadcasting and Mutual are well taken care of in the San Diego area. Columbia's Donald Thornburgh is known to have been on the trail of a station there but the applicants haven't fared so well with the comish. Every seeker-after a license has run up against the same rebuff, that the area is sufficiently serviced now and no need exists for additional facilities there.

**Comish Can Save Face**

In the event the Worcester deal is approved it is not altogether improbable that the comish will sanction a move to San Diego, even though it may be construed as a repudiation of its policy regarding the border town. Los Angeles county with its 15 transmitters presents an overcrowded condition and if the congestion can be relieved by moving KECA's 1430 kilocycles 130 miles away it would be held justification enough for giving San Diego a third station. That would clear the way for CBS to extend the hand of friendship and congrats to Worcester.

## Jack Steck's Summer Job

Philadelphia, April 19.

Jack Steck, WFIL gabber, will emcee Kiddies program from Woodside Park over WDAS every Sunday during the summer.

Steck has handled the show for the past five years nd special permish to resume on WDAS granted by Don Withycomb, WFIL prez.

## Warnow's 55 Musicians

Mark Warnow orchestra will be raised to 55 men for its debut on the Lucky Strike Hit Parade April 23.

Said to be the largest broadcast crew devoted entirely to dance tunes.

Tell
PHILADELPHIA
Through "An Old Friend of the Family"
WCAU
50,000 WATTS • PHILADELPHIA

# Quebec Station Evolves Participation Formula to Help Summer Business

Quebec, April 19.

New 'Buy at Home' program, developed by J. N. Thivierge, director of station CHRC, is scheduled to begin May 15 for a 13-week period. Show will be limited to 24 sponsors per week, shows weekly, with four sponsors mentioned daily on the half-hour program.

Program constitutes a saving of 78 half-hours in sustaining time during the slow summer peri and gives the station additional revenue for that period, while employing local talent at full pay.

Listeners will be sold on buying at stores mention , with votes being allotted for every purchase on the scale of one vote for every cent spent.

Winner of the contest, whoever collects most of the votes, will receive a prize of $1 ; second prize of $50, third prize, $35; fourth prize, 25, and six prizes of $10.

## Jolson Show's Ups, Downs

Regina, Sask., April 19.

Weather, radio and hockey certainly hasn't done well by the sponsors of the Al Jolson show.

Repeated incidents by which the program was left off a station, cut on a network or something else.

Latest came last week when only CKCK, Regina, broadcast the show west of Winnipeg because all the others chose the Canadian senior hockey playdowns.

### Pet Milk's Vacation

Pet Milk's Saturday night musicale retires from CBS June 25 and will return Oct. 2.

Account is handled by the Gardner agency.

### Zayde Joins Marek Weber

Jascha Zayde, chief pianist and classical music arranger for station WQXR, N. Y., resigned this week to go to Chicago and perform similarly for Marek Weber's Carnation hour on NBC-Red network. Has privilege to return after two weeks' trial.

Jacques Grunberg and Dorothy Wanderman replace Zayde and will also do a regular 15-minute piano duet series for station starting in May.

### Police Disturb Peace

Hartford, April 19.

Under a new ruling, Hartford is to have a system of one-man police cruisers instead of heretofore two-man cruisers. Officer manning it is also required to try doors on his beat thus forcing him to leave the car.

To prevent the officers from missing any radio dispatches, orders have been issued to turn on the police radios as loud as possible.

# SOUTH AFRICA HEARS MORE SQUAWKS

Transvaal Listeners' Association demand that the chairman and members of the South African Broadcasting Corp. resign, as being incapable of carrying on the work, w turned down by the Postmaster General, who has authority over broadcasting. He told association that he considered the Board as satisfactory.

Decision has caused indignation, and may lead to more efforts to force the Board to resign. In the South African Parliament a member stated that broadcasting was entirely unsatisfactory, and it is a settled conviction that the chairman and Board must go. Little consideration given to English-speaking listeners. Politics and appeasement of Boers who speak Dutch blamed.

### NBC's Arrangers Dept.

NBC decided last week not to shell out any more coin for indie song arrangers and formed its own arrangements department with Joe Lilly in charge.

New bureau includes two other arrangers besides Lilly, who also acts as musical coach for yodelers.

## Church Defers to Radio

Regina, Sask., April 19.

Only church at Herb Lake has set back its Sunday night service so the congregation can get an earful of the Chase & Sanborn program, and then scoot off to services.

Pastor inquired of parishioners why attendance at Sabbath eve ceremony had been dwindling. After learning of Charlie McCarthy's popularity, cleric set back time of the devotions. CJRC carries the program locally.

### TELEVISION FIASCO

**Sound Cable Cut By Accident as B.B.C. Attempts Boat Race**

London, April 6.

Regarded as fresh test of actuality television programs, transmission of Oxford and Cambridge annual boat-race was nearly stalled by last minute accident, when a streetmender on a road adjacent to B.B.C. station at Alexandra Palace severed the cable bringing sound from the scene to the transmitter. Although a race was made to repair the damage, event was almost completed before the commentator's voice came through.

Obstacle was overcome by holding before the emitron camera cards describing progress of the race, while a diagrammatic board also showed positions of the boats as they sped along the winding Thames course. In the studio, Howard Marshall supplemented the diagrams by commenting on the meaning of the tactics adopted by both crews.

### Hugh Feltis in N. Y.

Hugh Feltis of KJR, Seattle, arrived in N. Y. Saturday for a week's stay.

Toting along a commerci lm about his market.

#### in Quits WOWO

Fort Wayne, April 19.

Clyde R. Durbin, sales manager for Westinghouse WOWO, has resigned to take over management of printing firm in which he is interested.

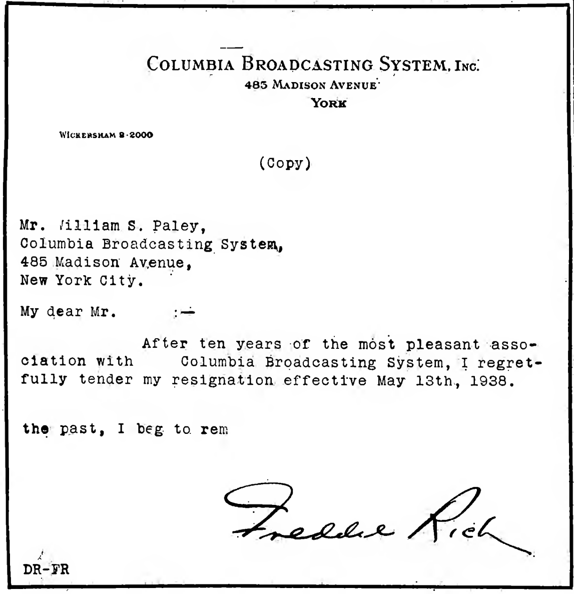
W. Ward Dorrell, manager of Westinghouse affiliates, will handle his work.

#### Verl Thomson Joins NBC

Chicago, April 19.

Verl ' lan' Thomson is now on the announcing staff of NBC's local division.

He was last with WIND, Chicago, emceeing the station's milkman's matinee.



COLUMBIA BROADCASTING SYSTEM, INC.
485 MADISON AVENUE
YORK

WICKERSHAM 2-2000

(Copy)

Mr. William S. Paley,
Columbia Broadcasting System,
485 Madison Avenue,
New York City.

My dear Mr. :—

After ten years of the most pleasant association with Columbia Broadcasting System, I regretfully tender my resignation effective May 13th, 1938.

the past, I beg to rem

Freddie Rich

DR-FR

### WASHINGTON BUZZ

Washington, April 19.

**Usual** summer siesta for the FCC and Washington legal forces likely to be cut short, if not abolished entirely, this year. Although usual custom has been to shelve everything except most urgent and most routine matters from July to September, Commish will be expected to function through the hot weather in normal fashion. Chairman Frank R. McNinch sees no reason for shutting up shop for eight-week period, since members can take their 30-day leaves in rotation and a quorum can remain on the job.

Particularly hard on Governor Norman S. Case, ardent baseball fan who seldom misses seeing the local club in action. In the past, Case has been accustomed to spending several weeks at his Narragansett Bay Shore place, while George Henry Payne likes to loll around the Long Island shore and Col. Thad H. Brown spends most of his time in Ohio.

**Argument** with which KTSM, El Paso, fought entry of a rival station into its baili ick a year or so ago didn't stand up last week when Examiner John P. Bramhall reported on its application for full time assignment.

Tri-State Broadcasting Co., which owns the transmitter, tried to keep out the El Paso Times by contending the town isn't big enough to support two radio plants. But the evidence summarized by Bramhall showed Tri-State earned $18,084 during the first eight months of 1937 before deducting for Federal income taxes, donations, depreciation, and manager's bonus. This is a return of 49.48% on the capital and surplus or 84.95% on depreciated value of property and reasonable worki ital.

**Set-up** of the FCC com ittee to probe monopoly drew criticism in short order from Congress. Declaring the Commish inquiry 'a deliberate attempt to hoodwink Congress,' Lawrence Connery of Massachusetts, urging action on investigation resolution of his dead brother, said Judge E. O. Sykes and Col. Thad H. Brown, two of the probers, are men 'who more than any others made monopoly a reality.'

Majority was kicked around for trying to kill the Craven resolution and chided for hesitancy in acting on measure of Commissioner George Henry Payne saying the FCC welcomes a Congressional look at its record.

## EMPIRE TRANSCRIPTION BACKED BY RESEARCH

NBC Thesaurus had plenty of research difficulties to solve in waxing a transcription of 'Birth of an Empire' to be used May 24, Queen Victoria's birthday. All sorts of inside angles on the pride of the various British commonwealths had to be figured. And the whole production made historically and officially acceptable while following narrative speed.

Gilbert Ralston directed and Tom Cochran provided the script. Air credit for the author.

### Jr. Zimbalist Mustered In

Efrem Zimbalist, Jr., son of the concert violinist, joined NBC this week as a page-boy in the New York studios.

Wants to work up the ladder.

### lla Hastings at WNEW

Ella Hastings, of the American Institute of Food Products, has joined WNEW, N. Y., in conducting a program on the home and food called, 'For Women Only.'

She was with two other radio stations previous to starting broadcasts for WNEW. Program is heard every weekday at 8:15 a. m.

### High School Baseball B.R.'d

Mason City, Ia., April 19.

KGLO will air all high school sports events of the spring season.

Sportscaster Jim Woods will mike each event and the Decker Bros. Sporting Goods of Mason City will 'angel' the airings.

#### WDRC Talent Partnership

Hartford, April 19.

James artin and Ruth Brooks, vocalists at WDRC, have formed a duo. William Sargent will be accompanist.

# CHANGES IN HAVANA RADIO

Havana, April 14.

New Radio Commish headed by an army man, Comm. Andres Ascencio, is working hard trying to clear the kilocycles in accordance with the Agreement of the Inter-American Conference.

First step taken by Ascencio was to order all stations to cut down modulation. All the Cuban stations over-modulate they aim to cover large territory ith small power. Second step was revoking of the provisional licenses of seven short-wave stations, which through political juggling had obtained point-to-point licenses. Must now be off the air by the end of the month.

Shortwave stations that will remain are COCQ, COCH on the 31 meters; COCX on 25 meters and COCD and COCO on 49 meters. No action has been taken on COCM on 30 meters.

Ascencio heading a commish of five is studying the new radio law, completed about six months ago, but never sent to Congress awaiting the approval of the North American Agreement. Cuba already ratified the agreement and the new law is expected to be sent to Congress within six weeks. It will limit the channels in Havana to 22, meaning that at least eight stations will have to share time.

### Morris Office Radio Rep For King Syndicate

King Features Syndicate last week notified the ad agencies that it has appointed the William Morris office the exclusive radio reps for all its features.

Hearst subsid had previously don its own peddling of radi rights.

### Adwomen's Air Shows

Philadelphia, April 19.

Philly Club of Advertising Women has just added second weekly radio show. Tagged 'Advertising at Wor ,' on it will be heard member of group speaking from KYW on value to housewives of ads.

Other show on WFIL, 'Lives of Famous Women.'

#### Boswell's Foamer

Hollywood, April 19.

Connie oswell ins east today (Tues.) to go on the rewers Co-op program.

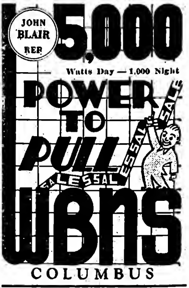
Harry Leedy, her husband-manager, accompanies.

#### Hal Scher Leaves WKY

Oklahoma City, April 19.

Hal Scher is out of WKY. Will go to Pacific Coast.

Scher has served as head of the artists bureau and press agent. Recently assigned to job as WKY announcer.



CFCF MONTREAL

CFCF—while not classed as a super-power station, enjoys an enviable position among its larger brothers. NBC Affil te—centrally located, intensive signal—no outside competition.

WEED & COMPANY, STATES REPRE

# Agencies—Sponsors

San Francisco, April 19.

Twenty-five percent increase in business over last year is claimed by local radio stations. Leading in total commercial time for the week of April 3-9, was KPO, NBC's Red outlet, with KSFO, Columbia outlet, a close second; KFRC, the Don Lee station, third, and KGO, NBC Blue outlet, fourth.

KPO figures showed a total of 59½ hours sold, more than one-half of the station's total hours on the air during the week. KSFO commercial time totaled 57½ hours, KFRC, 32 hours 45 minutes; KGO, 25.

KGO, however, came first with purely local programs, exclusive of chain shows originating outside of San Francisco. In this field, KGO showed 20½ hours, which includes six baseball broadcasts weekly averaging slightly more than two hours each and five and one-half hours of transcriptions. KSFO's local production amounted to 18 hours, of which seven and one-half were transcribed; KFRC showed 12½ hours of local shows, two hours and ten minutes for transcriptions, and KPO had 14½ hours, two and one-half for platters.

Number of local shows produced by KPO was 22; KFRC, 21; KSFO, 19; KGO, nine. For network release KPO originated 16 programs; KFRC, seven; KSFO, four.

Spot announcements were not included in the tabulations.

**New Business, WHO, Des Moines**

**Associated Serum Producers, Inc.**, Ft. Dodge, Iowa, through Fairall & Co., starting May 16, 1938, for 10 announcements of 65 words each.

**International Harvester Company**, through Aubrey, Moore & Wallace, Chicago, beginning April 11 for 52 announcements of one minute each.

**Champion Milling & Elevator Co.**, Clinton, Iowa, through Rogers & Smith, Chicago, 39 periods of 15 minutes each. Farm News with Herb. Plambeck.

**St. Louis Gospel Center** ( . B. Bottorff), St. Louis; 52 periods of 45 minutes each.

**Acme Feeds**, Forest Park, Ill., through K. E. Shepherd Adv. Co., Chicago; 300-word announcements.

**Omar Ills**, Omaha, through Lyle T. Johnston Co., Chicago; 20 announcements of 200 words each.

**Paxton & Gallagher Co.** (Butternut Coffee), Omaha, through Buchanan-Thomas Co., 312 periods of 15 minutes each.

**Gooch Milling & Elevator Co.**, Lincoln, through Potts-Turnbull, Kansas City, beginning Oct. 3, 1938, for 78 periods of 15 minutes.

**United Drug** (Rexall), through Spot Broadcasting, beginning April 19 for five periods of 15 minutes.

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**KYA, San Francisco**, new biz:

**Southwood, Inc.** (shoes), through Kelso-Norman agency, is bankrolling quarter-hour newscasts five nights a week and a quarter-hour Sunday morning musical show.

**Valley Church**, Oakland, Cal., is sponsoring a thrice-weekly 15-minute religious program for one year using live talent.

**Silvers, Inc.** (clothing); Shane the Jeweler, and Jackson Furniture Co., Oakland, Cal., through W. iller agency, all signed for spot announcements five days weekly during 'Echoes of Portugal' program.

**Corriere Dell Aria** (news), through Arthur de Nunzio, is sponsoring daily quarter-hour programs.

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**Mark Morris Tire Co.**, through Campbell-Ewald, is sponsoring for three months the transcribed 'Ben Benny and the Boys' program Sundays on KJBS, San Francisco.

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**Standard Beverages, Ltd.**, through Emil Reinhardt, Oakland, is using four time signals daily and a quarter-hour disc session Sundays on KJBS, San Francisco.

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**KWK**, St. Louis, new biz:

**Firestone Tire and Rubber Co.** (Akron), 26 15-minute transcriptions.

**J. W. Marrow Mfg.**, 13 15-minute transcriptions.

**Laclede Gas Light Co.**, 13 30-word announcements.

## Nelson Hypos KDKA

Pittsburgh, April 19.

For first time in several years, KDKA, first broadcasting station in country, topped Pittsburgh radio t-up last week in local commercials. Lead almost since turn of present decade has been held by Hearst-owned WCAE. Credit generally agreed to belong to A. E. Nelson, new station manager who went to KDKA from KAO in Denver several months ago, pumping new life into outfit with extensive and showmanly exploitation.

## B-S-H's Full Muster

Chicago, April 19.

Blackett-Sample-Hummert full exec list is at their desks following an absence of several weeks. Hill Blackett in after a two-month sojourn in Europe, as is Kirby Hawkes, chief of radio programming.

Glenn Sample returned to the office after a combination biz and pleasure trip in the outlying territory.

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**Bob Holt**, former gabber for KMOX, KFRU manager and KTUL production manager, has joined WTMV, East St. Louis, as a gabber.

## BLUE COAL'S 'SHADOW' USED BY GOODRICH

Blue Coal will return 'The Shadow' to the Mutual Network this fall. Transcribed versions of the dramatic conceit will in the meantime be released over some 80 stations under the Goodrich Tire banner.

Tire campaign is one of those 50-50 arrangements, with the account providing the platters and paying half the time bill and the local dealers underwriting the balance.

## Woo United Airlines

NBC sales is trying to get United Airlines to underwrite a network program through the summer. Linked up would be key city outlets only.

Sales talk to the account stresses having a show to bait vacation travelers. United in the past has dented radio with no more than occasional spots, and often these, it has been understood, were made with indie stations in exchange for due-bills on the Airlines.

# Here and There

**Mrs. Frank Powers**, continuity head of KOL, Seattle, now mothering adopted baby.

---

**Gillespie B. Murray** has joined the WBT, Charlotte, advertising , coming here from Pittsburgh's WJAS-KQV.

---

**Bernie Ar strong**, organist at KDKA, Pittsburgh, and also of the production staff here, underwent a minor operation last week.

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**Bill Hildebrand** subbing for J e Vilella on Club Oldsmobile on KQV, Pittsburgh, while latter convalesces from an appendix-clipping.

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**Jeanie Galbraith**, songstress formerly of Those Three Girls on WCAE, Pittsburgh, now solo under name of Jeanie Baxter.

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**Roberta Rountree** has joined program department of Mutual network.

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**Don Hirsch**, formerly on KDKA, stu
vani
Mar

---

**Gloria Charmaine** new singer on 'Beauty and Rhythm,' weekly all-gal show on KABC, San Antonio.

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**Dick Weldner** of WBNS, Columbus, sales staff, in New York on tri won in station sales contest.

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**Travis R. Chapman**, control-room man of KABC, San Antoni has switched over to constructive engineering and studio maintenance.

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**Clarence L. Hartzell**, the 'Uncle Billy' of the National Barn Dance programs, on vacation in Houston, until late this week.

---

**Carol Gay**, fashion commentator, did a rush job understudying Jane Porter, out with laryngitis, on KMOX, St. Louis, 'Magic Kitchen' program.

"Don't lug t t to the back room, Joe. Let's stack it right here on the counter. They're a new show on W L W."

"We're all out-a that, Missus Jones, I should-a had sense enough to re-order when they started that new show on W L W."

"Sure, I know they got a new show on W L W, but for Pete's sake leave enough room to let some customers in the front door."

WLW "Dealer Support"

ings and tag lines have been telling, in "Variety" and other trade publications, the story of WLW Dealer Support.

The important ing about this series is that re ilers throughout the WLW territory really *do* give WLW-advertised products their support just about the same sort of enthusiastic support shown by the grocer in these

★ WLW—THE NATION'S STATION
CINCINNATI

## CLEAR CHANNEL MEETING

**25 Broadcasters Huddle In Chicago On Group Tactics Before F.C.C.**

Chicago, April 19.

Some 25 clear channel station men were in Chicago for a quick confab on the possible developments of the Washington commission hearing on May 16. Led by Ed Craig of WSM, the clear channel men were particularly interested in the possible revision of the ruling setting maximum of 50,000 watts for station strength.

Also considered the possibility of going through with applications for increases in power, especially to 500,000 wattage. Under serious discussion was the WLW move to obtain a permanent permit to operate on 500kw.

### Baxter Joins KPAB

San Antonio, April 19.

KPAB, new station in Laredo, Tex., getting its first commercial from KABC, San Antonio.

He's Pat Baxter.

ARTISTS MANAGEMENT
Presents
PAUL WHITEMAN
ON
Chesterfield
CBS Network
ridays, 8:30-9:00 P.M., EST

Featuring
JOAN EDWARDS
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# F. C. C.'s WASHINGTON DOCKET

## MAJOR DECISIONS

Washington, April 19.

**California:** Two sets of San Diego hopefuls found the Commish hard-hearted despite repeated demands for more outlets in the border city. Requests for new 100-watters on 1200 kc of Smith, Keller & Cole and Pacific Acceptance Corporation were nixed on the ground that the San Diego audience already is adequately served. Three-and-a-half-year battle of the Pacific Acceptance Corp.—which twice was granted its permit and then forced to go through another hearing—failed to convince the FCC that KMTR, Los Angeles, and KIEV, Glendale should have a sister farther down the Coast. The newcomers—Smith, Keller & Cole, non-residents of San Diego, were unable to satisfy the FCC that their copartnership had ample finances, besides failin' to demonstrate need for their proposed service.

Frank Stollenwerck was mouthpiece for Smith, Cole; Elmer W. Pratt and Reed E. Callister h: Pacific Acceptance Corp. plea.

**Michigan:** Insufficient finances, doubt about prospective contributions to the broadcasting art, and interference possibilities caused denial of the application of the Ann Arbor Broadcasting Co., association of 29 residents of the college town, for a 1 kw outlet operating on 1550 kc. Noting that the plant would cost over $21,000 and the cash in sight amounts to only $19,273, the Commish concluded that the promoters would be unable to build the transmitter, let alone operate it. Promises to patronize the station were not binding contracts, merely contingent agreements.

Frequency requested is reserved for special broadcast stations engaging in particular sorts of research. Operating plans for study of antenna construction, listener response, and other types of experimentation did not impress, except idea of engaging in measurements of antenna power, hold no promise of any valuable discoveries. Most of the research has been done before. As final objection, Commish noted the operations would interfere with WQXR, Long Island City, which is experimenting in conjunction with the U. S. Bureau of Standards.

Louis G. Caldwell, Reed T. Rollo, and Don were counsel for the applicant.

**North Carolina:** Switch for WSOC, Charlotte, from the 1210 kc frequency to 600 kc, plus a juice-jump, was nixed by the Commish, on grounds of severe restrictions which would be imposed on other transmitters by the change. Barrage of interference would occur to the applicant station, Commish found, during proposed night time service with a lifted power of from 100 to 250 watts. Transmitter, now operating with 100 watts nights, 250 watts days, asked for 250 watts nights, 1 kw days.

While the NBC-affiliate, licensed to WSOC, Inc., proposed to up rates approximately 80% for national ballyhoos and 20% for local advertising, night time service would be practically blotted out by WCAO, Baltimore; WMT, Cedar Rapids, Iowa, and WREC, Memphis, Commish ruled. In addition: '..because of radiation characteristics of the directional antenna proposed to be installed, a portion of the population in the present useful service area of Station WSOC would be deprived at night of service from that station.'

'During night time hours there would be no material increase in the population which would be expected to receive satisfactory broadcast service through the proposed operation over that which is now being adequately served,' Commissioners declared.

Station was represented by Ben S. Fisher.

**Ohio-Pennsylvania:** Battle between new-station applicants in Akron, Ohio, and Sharon, Pa., was decided in favor of the Sharon Herald Broadcasting Co. because of less interference to other transmitters and greater need for broadcast facilities in the area proposed to be served. Tipping over previous suggestions of an FCC examiner, made in February, last year, Commish held that the Sharon outfit could best fill the need of its listeners.

Attorneys for Sharon Herald were George O. Sutton, A. L. Hawken and James Proffitt. Allen T. Simmons, Akron applicant, was represented by Paul M. Segal and George S. Smith. Both applicants requested the 780 kc frequency, with Sharon requesting 250 watts daytimes and Akron asking 1 kw daytimes.

**Texas:** (1) Sale of KFJZ, Fort Worth, to Mrs. Ruth G. Roosevelt, daughter-in-law of the President of the United States, was okayed by the Commish, when the transferee was found 'qualified in all respects' to acquire and continue operation of the station.

(2) Dismissal with prejudice ordered for Odessa Broadcasting Co., Odessa, on its plea to construct a new station using 1310 kc with 100 watts, days only. Broadcast outfit, formed by Jack W. Hawkins and Barney H. Hubbs, appeared by counsel at the hearing which was designated and moved to withdraw the application.

## MINOR DECISIONS

**Alabama:** WAPI, Alabama Polytechnic Institute, University of Alabama, Alabama College (Board of Control of WAPI), Birmingham, granted special experimental authority to install directional antenna system and change time of operation to unlimited, employing directional antenna after sunset at Tulsa, Okla.

**California:** Union Tribune Broadcasting Co., San Diego, granted request for cancellation of deposition order and dismissal of application without prejudice for new station to be operated on 1480 kc with 5 kw.

**Illinois:** WHBF, Rock Island, granted consent to involuntary transfer of control from Mrs. Minnie E. Potter to the J. W. Potter Co., Marguerite F. Potter, John W. Potter and Ben H. Potter.

**Maryland:** WCAO, Baltimore, granted extension of special temporary authority to operate with 1 kw nights, for the period April 22 to May 21, in order to minimize the effect of interference being received from CMQ, Cuba, subject to specific requirement that operation with additional power be terminated immediately after CMQ ceases operation on this frequency (600 kc), or reduces power so that additional interference is not involved.

**Missouri:** Star-Times Publishing Co., St. Louis, granted new facsimile station to be operated on 31600, 35600, 38600, and 40000 kc, on an experimental basis with 100 watts.

**New Jersey:** Bamberger Broadcasting Service, Inc., Newark, granted new facsimile broadcast station to be operated on an experimental basis on 31600, 35600, 38600 and 41000 kc, 100 watts; WAWZ, Pillar of Fire, Zarephath, granted installation of a directional antenna system for night use and nighttime power boost from 500 watts to 1 kw.

**New Yor :** W2XDG, National Broadcasting Co., Inc., New York, granted special temporary authority to operate high frequency broadcast station on frequency of 38.65 megacycles, from April 15 to May 14, pending definite arrangements to be made in ultra high frequency bands.

**North Carolina:** Publix Bamford Theatre, Inc., Asheville, granted new station to be operated on 1370 kc with 100 watts.

**Ohio:** Radio Air Service Corp., Cleveland, granted new facsimile broadcast station to be operated on 31600, 35600, 38600 and 41000 kc with 50 watts.

**Oklahoma:** KVOO, Tulsa, granted special experimental authority to install a directional antenna system and increase time of operation to unlimited, using directional antenna system nights.

**Pennsylvania:** WPEN, hiladelphia, granted extension of special temporary authority to increase power to 1 kw nights, in order to counteract interference caused by CMX, Havana; WWJ, Detroit, and KPRC, Houston, from May to May 30. (Also to operate unlimited time for the same period, providing WRAX, Philadelphia, remains silent.)

**Texas:** KPRC, Houston, granted extension of special temporary authority to operate with power of 5 kw nights, from April 19 to May 18.

**Washington:** KIT, Carl E. Haymond, Yakima, granted new equipment and power jump from 250 watts nights, 500 kw days, to 500 watts nights, 1 kw days.

**Wisconsi :** WSAU, Wausau, granted changes in equipment and power jump from 100 watts to 100 watts nights, 250 watts days.

## EXAMINERS' REPORTS

**Illinois:** Application of a lady would-be broadcaster for a station at Aurora, to be operated on 1500 kc with 100 watts nights, 250 watts days, should be dismissed with prejudice, Examiner John P. Bramhall told Commish. Excuse that applicant, Kathryn B. Gosselin, was not ready to go ahead with the hearing was not valid, Bramhall ruled, since both the Commish and respondents in the case were put to considerable wor and expenditure preparing for the hearing.

Applicant was represented by L. Lohnes, E. D. Johnston and F. W. Albertson.

**New Mexico:** Attempt to tack $5,500 'going concern' value on the price-ta of KRQA, Santa Fe, was pounced on by Examiner P. W. Seward as trafficking in licenses and ample reason for the Commish to hean the transfer application. Sale of the transmitter, a smallie using the 1310 kc frequency, should not be countenanced, Seward declared—particularly since present owner is charging up more than one-third of the $14,000 purchase price to going concern value, and thereby violating Communications Act.

In a 12-page report, bristling with court citations, examiner pointed out that the station made a net profit of $412 over a period of 15 months. 'In view of this small profit as compared to the investment, it appears that the going concern value allowed, which is included in the original cost price and the present valuation for purpose of sale, is extremely liberal,' Seward tut-tutted.

Deal involves sale of the transmitter to I. E. Lambert, Santa Fe attorney who at one time was connected with the legal department of RCA, by its present owner, J. Laurence Martin. Martin originally paid $15,000 for the station, which in 1936 was operated under the call letters KIUJ. Original purchase included an item of $5,000 for 'good will' which Martin contended actually applied to the going concer value of the station at that time.

Arguing that the extra charges for going concern value would 'permit the licensee to sell the right to use the frequency assigned by the license, or receive money for divesting himself of the license,' Seward cited a similar case in which a transfer was turned down because of a much smaller sum involved:

'It will be noted . . . that the amount which the Commission considered was being paid for the 'sale of its franchise' was a portion of $2,250,' Seward stated, in his discussion of the previous case. 'While in the instant case, the amount designated 'going concern value' is $5,000 in excess of the value of the station as a going concern in successful operation. It appears that the attempt to sell 'going concern value' is only an attempt to evade the inhibition to the sale of radio frequencies.'

J. Laurence Martin, assignor of KRQA, was represented by Arthur H. Schroeder and James L. Proffitt. Philip J. ennessey, Jr., appeared for the assignee.

## SET FOR HEARING

**California:** KTKC, Tulare-Kings Counties Radio Associates, Visalia, install new equipment and directional antenna system, change frequency to 890 kc and jump juice and time of operation to 1 kw, unlimited, using directional antenna nights.

**Colorado:** KGIW, Leonard E. Wilson, Alamosa, voluntary assignment of license to John L. Dier and William A. Dier to trade as the San Luis Valley Broadcasting Co.

**Illinois:** WMBI, Moody Bible Institute Radio Station, Chicago, application to change time from limited sharing with WCBD, Chicago, to unlimited, sharing with WCBD, and to use WCBD's transmitter and directional antenna system at night.

WAAF, Corn Belt Publishers, Inc., Chicago, authority to transfer control of corporation to 16 stockholders.

WCAZ, Superior Broadcasting Service, Inc., Carthage, make changes in equipment and up day power to 250 watts.

WC D, Chicago, install directional antenna system for night operation, change hours of operation to unlimited time, sharing with WMBI, Chicago.

**ichigan:** W8XAN, Sparks-Withington Co., Jackson, renewal of license to Feb. 1, 1939.

**Missouri:** KWTO, Springfield, install directional antenna system for night operation, jump power and time of operation to 1 kw nights, 5 kw days, unlimited.

**New Jersey:** W3XL, National Broadcasting Co., Inc., Bound Brook, renewal of license for the period May 1, 1938, to May 1, 1939.

**New York:** Hazeltine Service Corp., New York, new television broadcast station on an experimental basis under provisions of Rule 1031, 1033 and 1034, to be used in program of television research for the development of the art, requesting 42000-56000 kc and 60000-86000 kc, aural and visual power of 125 watts, unlimited time in accordance with Rule 983.

**North Carolina:** WBIG, Greensboro, install new equipment and vertical radiator and boost power from 1 to 5 kw (to be heard before the Commission en banc.).

**Pennsylvania:** WHP, Harrisburg, install new equipment and directional antenna for night operation, boost power to 1 kw nights, 5 kw days; WYW, Westinghouse Electric & Manufacturing Co., Philadelphia, install new equipment, make changes in directional antenna system and jump juice to 50 kw.

**Texas:** KNEL, G. L. Burns, Brady, install vertical radiator and change frequency to 1340 kc.

'THE O'NEILLS'
By JANE WEST
NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap · 99 44/100 % pure

LISTEN IN . . TWICE DAILY
NBC Red Network, :15 to 12:30 P.M. EST
CBS - WABC— 2:15 to 2:30 P.M. EST
COAST TO COAST
Dir., COMPTON ADVERTISING AGENCY
ED WOLF—RKO BLDG., YORK CITY

## Cincy Adieus McCormick, Meets Schudt, Carmichael

Cincinnati, ril 19.

Managerial change at WKRC was the occasion of a cocktail party for the station's execs and radio lads of the local and trade press Monday (18) in the Hotel Alms, home of the CBS outlet.

It was a welcoming affair for William A. Schudt, Jr., new manager, and Cecil Carmichael, who came up with him from WBT, Charlotte, N. C., to direct program promotions, and also a farewell for John McCormick who leaves as head of WKRC to become assistant to Earl Gammons, general manager of WCCO, Minneapolis.

A similar arty for members of the station's staff was held at a luncheon Saturday (16).

Al Pearce and his laying the RKO Shubert this week, will do a special reception program in honor of Schudt and Carmichael on WKRC Wednesday (20) from 6 to 6:30 p.m. It will originate in the station's studios and be viewed by an audience.

Pearce and Schudt are palsy-walsies of long standing.

Pearce's weekly Tuesday night airings for Ford on CBS were picked up from the Cox, legit house adjoining the Shubert.

## Late Eve Participatory

WNEW, New York, will bow a two-hour nightly musical program tagged 'Manhattan Serenade' April 25. M.c.'d by Alan Kent, show will be aired five nights weekly from 10 p.m. to midnight and in June be stretched to six.

Lengthy broadcast will be sold on a participating basis in 15 min. segments.

## MAE WEST BROADCASTS

**Says a Few Words — Cuffo — for WMCA, New York**

Mae West made a totally unheralded and completely unpublicized appearance on the io last week. Pickup was an informal one, from the interior of Braddock's Corner, Times Square, N. Y., tavern.

WMCA has a weekly program handled by Alan Courtney which drags a mike into different nite spots for remote interviews with an celebs found at the tables. Mis West, who had just arrived in New York on her personal appearance tour, was present with some friends. Agreed amiably to say a few words of greeting over the air.

Star hadn't talked into a mi since her well-remembered appearance on the Chase & Sanborn program early in the autumn.

**Frank Stewart**, announcer, has shifted from KMAC, San Antonio, to KTSA.

THE Barnet BULLETIN
CHARLIE BARNET
And His Orchestra
Picked to Play
PLEASURE BEACH PARK
BRIDGEPORT, CONN.
MAY 22
EXCLUSIVE MANAGEMENT
CONSOLIDATED

DON ROSS
THE RHYMING MINSTREL
12 O'CLOCK NOON
EVERY MONDAY
WEDNESDAY and FRIDAY
Mutual roadcasting System
FOR
BOSCO

ED. CASHMAN
COLUMBIA ARTISTS, INC.

FRANK CARTER & ARTHUR BOWIE
Entertainers De Luxe
•
SWI PIANO DUO
Appearing Nightly
Billy Rose's
CASA MANANA
New York

JOSEF CHERNIAVSKY

Now with the Nation's Station
WLW
CINCINNATI
The Music era
Every Sunday
at 6 P.M. EST

HEADING FOR THE NETWORKS
LANNY GREY'S RHYTHM SCHOOL OF THE AIR
Pupils of the Class
Mary McHugh—Platinum-voiced Pretty.
Don Richards—Toreador ng.
Lucille and Lanny—Combination of Swingeroo.
Jimmy Rich—Bad Boy & Nursery Rhyme King.
And Lanny Grey as the Rhythmaster.

# DROP BARE BONES THEORY

## Now You See It, Now You Don't

### Adverse Decision Climaxes Many Episodic Petition by Southern California Group

ashington, April 19.

triking illustration of the uncertainties attendant upon a desire to enter the radio business was afforded last week by the FCC's denial of long-pending application of the Pacific Acceptance Corp.—owned by individuals interested in KMTR, Los Angeles, and KIEV, Glendale—for a new outlet at San Diego, Cal.

Request for permission to erect a 100-watter was filed on Oct. 1, 1934. After a hearing, the newly-organized Commission a year later, Oct. 22, 1935, adopted an order granting the application, as recommended by its examiner.

Before the grant became effective, the Commish changed its mind and ordered a further hearing in conjunction with the renewal application of KMTR and a new station plea of California Sales Contract Co., San Francisco. The KMTR hearing was cancelled and the Commish, in a second instance of mental somersaulting, again granted the Pacific Acceptance request.

Before the second permit was issued, the Commish once more reconsidered the application and called for more ogling by an examiner. Case was ventilated anew on April 1, 1937—exactly two and one-half years after the papers were filed—and another favorable report was presented.

Oral argument occurred Oct. 7, 1937, but before the case was decided the Broadcast Division was abolished. So the attorneys decided to go through their repertoire again and a second review of the issues occurred Jan. 27, 1938.

Finis—an adverse decision—was written Wednesday (13).

### Politics Vs. Radio

Winona, Minn., April 19.

KWNO ran a roundup program, pulling mail vote on popularity poll for Arcadia, nearby town. Same day burg was holding mayoralty election.

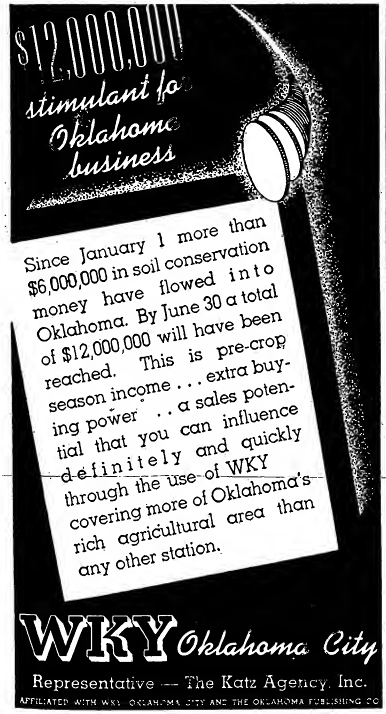
Station's poll amassed 1624 votes in the single day, whereas there were only 500 total votes cast in the political election. Winning mayoralty candidate's daughter won the KWNO popularity poll, getting 853 votes, more than double the number which put her pop in office.

## Facsimile Grants

Washington, April 19.

Three new facsimile plants were approved by the Federal Communications Commission last week.

With several holders of licenses to research in still picture transmission threatened with loss of their tickets, the Commish issued franchises to the Radio Air Service Corp., Cleveland; Star-Times Publishing Co., St. Louis, and Bamberger Broadcasting Service, Newark, to engage in experimental operation. Latter two stations will use 100 watts and former only 50.



Since January 1 more than $6,000,000 in soil conservation money have flowed into Oklahoma. By June 30 a total of $12,000,000 will have been reached. This is pre-crop season income . . . extra buying power . . . a sales potential that you can influence definitely and quickly through the use of WKY covering more of Oklahoma's rich agricultural area than any other station.

WKY Oklahoma City

Representative — The Katz Agency, Inc.

AFFILIATED WITH WKY OKLAHOMA CITY AND THE OKLAHOMA PUBLISHING CO

## OKAY KFJZ SALE AT 50% PROFIT

### Notable Shift of F.C.C. Policy Discerned in Decision That Clears Way for Elliott Roosevelt to Acquire Fort Worth Link

### ARITHMETIC

Washington, April 19.

Readiness of the Federal Communications Commission to allow a reasonable amount for going-concern value and for losses incurred in improving quality of service was seen last week in the favorable action on application of Elliott Roosevelt and his wife to take over control of KFJZ, Fort Worth.

While fundamental policy on station sales is still a matter of dispute, the detailed analysis of the financial arrangement pointed the way by which licensees wanting to get out of the radio business can collect something more than the physical worth of the property. So-called bare-bones theory, originally advocated by Chairman Frank R. McNinch, went out the window in this instance.

With unusual spe —the hearing occurred Sept. 7, 1937—for a transfer case, the Commish put its seal of approval on arrangements whereby the President's son and daughter-in-law paid $57,500 for a business with net worth of $33,981. Profit of $23,519 is almost 50% of the total claimed assets.

Analysis of the financial side of the proposition shows assets of $46,845 included $8,623 which R. W. Bishop, the seller, invested getting the station out of the red, and $13,397 as the fair value of outstanding contracts. Latter figure is one-half the total money involved in the agreements to purchase time.

**Ratio**

ow far the Commish has swerved from the idea of allowing only the physical worth is demonstrated by the ratio of purchase price to value of studio and technical equipment. Original outlay for the plant was $12,219, depreciated worth is $8,263, and reproduction cost is $11,480. Thus the consideration was more than four times the bare bones on the highest basis of calculation.

Regarded from another angle, the Commish decision indicates a readiness to allow proprietors to make a profit over and above the amount they invested. When he acquired the plant in 1932, Bishop forked over $31,500. During the time he operated the station, he drew a salary and in two years the station turned in a profit. ut he was allowed to include in the 'assets' his out-of-pocket expense of $8,623 spent to build the station 'from a new to a going concern.'

## EXTEND RULE OF F.C.C. EXEC

Washington, April 19.

Another move to speed up action on routine papers was taken by the Federal Communications Commission on Wednesday (13) by amendment to previous orders broadening the jurisdiction of the Chief Engineer.

Henceforth, the top technician will have power to take final stand on requests for extensions of time to comply with technical requirements embraced in authorizations, orders, and rules; changes in equipment necessitated by new technical requirements; showing of compliance; and operation with licensed, new, or modified equipment at a temporary l ation with a temporary antenna system in event of emergency caused by uncontrollable circumstances.

## Radio Politics Involving KIRO and KOL Will Be Issue in Congressional Race

Seattle, April 19.

Republicans have given the Democrats advance warning that in the fall Congressional elections they'll attempt to make political ammunition of the KOL vs. KIRO feud. This may bring out into the sun one of those 'secrets' that everybody knows something about. For months a prominent lawyer here carried in his pocket a document, never filed, that made charges similar to those the Republicans apparently intend to publicize.

Whether Columbia Broadcasting System, as a network, will be dragged into the local fray is not certain. CBS affiliation was one of the prizes which followed political influence, according to the owners of the accusing fingers.

Training their sights on Senator Homer T. Bone's partnership in station KIRO, Seattle, the Republicans through Tom Oakshott last week declared at a Tacoma meeting:

'We intend to tell the whole truth about radio station KIRO. Principal stockholder of KIRO is Saul Haas, formerly Bone's private secretary, and now U. S. colector of customs at Seattle and political ma ager for Bone in this state.'

Ralph Horr, chairman of the GOP in King County, in which Seattle is located, added 'KIRO, by reason of being granted increased power and full air time by the Federal government, jumped in value from $15.000 to $150,000, overnight, while another station KOL, Seattle, was penalized. We intend to tell the people how such a handsome gain was made, thanks to cooperation between the station's present owners, headed by Saul Haas, and Senator Bene himself.'

Saul Haas when asked for a statement smiled and told Variety he was busy helping in settling a fishermen's strike and any statements, no matter by whom made preceding the Fall election, was just one of those things.

**City council** in Tacoma passed resolution officially endorsing Mike Mingo's application for radio station there. KVI and KMO now functioning in city.

73.4% of Detroit's Radio Audience Was Listening to "Bradcast!"

C. C. BRADNER

During the week of March 7, 1938, WWJ authorized George O. Hackett, independent market analyst, to make a telephone survey* of a cross section of Detroit radio listeners. Of the 1,000 calls made, 200 were during the noon hour; in the early evening. The purpose was to determine the popularity of "Bradcast," a twice-daily news feature by C. C. Bradner, originating in the studios of WWJ. The findings were astonishing. More than half the people called were listening to their radios, and of ALL those listening 73.4% were tuned to WWJ listening to Mr. Bradner! "BRADCAST" has seven years of proven popularity behind it, and is now available for sponsorship for *the first time.* Call, ire or write for particulars—AT ONCE!

*WWJ invites any advertising agency to conduct a si at the Station's expense

WWJ

National Representatives

George P. Hollingbery Company

New York : Chicago : Detroit : Kansas City

San Francisco : Jacksonville

# ST. LOUIS AUDE PROFITS, 1ST IN 4 YEARS

. Louis, April 19.

For the first time since the $7,000,000 Municipal Auditorium was opened four years ago it was operated profitably during the fiscal year, which ended last week, Manager James E. Darst reported to officials that the gross income reached $99,772.17, and expenses, $97,799.34, leaving a profit of $1,175.15. Wage hikes for union employees and installation of new equipment held the profit down.

The best customers of the auditorium were the St. Louis Symphony Orchestra Society, which presented all of its concerts in its opera house, and Tom Packs, head man in local pro wrestling promotion. The symph paid $15,000 rental for its season and Packs was a close second, with $14,022.06.

Others who paid substantial sums for use of the building were Larry Sunbrook, president of the National Fiddlers' Assn., $6,000; Burton Holmes lecturer, $2,400, and the Civic Music League of St. Louis, $1,750. Darst also reported that the seven halls in the building were used a total of 939 times during the year, an increase of 210 over the previous year.

# ST. LOUIS ORCH BENEFIT NETS $3,700; NINO SOLOS

St. Louis, April 19.

Benefit fun for the St. Louis Symphony was enriched $3,700 by the annual concert held last week in the Municipal Auditorium with Nino Martini, tenor, as guest soloist, before 2,400. House was scaled from 75c to $2.50.

Concert wound up the local season with Vladimir Golschmann, conductor, who has been reengaged for the 1938-39 season, leaving for New York. He is set to sail for his Paris home where he will vacation.

## 'BOB CAT CLUB' STUNT

### Crosby Orchestra's Sunday Matinee at Blackhawk Cafe

Chicago, April 19.

As an exploitation and biz stunt for Bob Crosby orchestra at the Blackhawk, p.a. Lou Cowan is plugging a 'Bob Cat' club, which meets at the cafe every Sunday afternoon.

It's a swing session, with the customers being given inside info on swing arrangements, swing terms and other modern music angles. Entrance of cafe transformed on Sundays to look like door of iron cage.

## Met's '39 Fair Deal

Deal between the 1939 N. Y. World's Fair and the Metropolitan Opera Co. is currently being talked. Idea is to keep the Met together for two weeks after the regular season closes and perform the Wagnerian 'Ring' cycle during the first two weeks of the Fair.

Under terms reported being talked, Fair would guarantee the Met against any loss.

## Monroe's Own Band

Detroit, April 19.

Vaughn Monroe, baritone with Jack Marshard's band at Hotel Statler's Terrace Room here past several weeks, has left to direct one of his own in Boston. Monroe's band will stay in the east during spring and summer for resort engagements, but expects to return here in the fall.

Jack Barry continues as soloist ith Marshard's band here.

## assachusetts Room Opens

Auburndale, Mass., April 19.

Totem Pole Ballroom preemed its 1938 season Saturday (16) at Norumbega Park, as advance guard to the Park's formal opening on May 27. Policy, says Manager Arch E. Clair, will be a Friday-Saturday hoofing session till then. Ballroom has been renovated.

Band bookings handled through Interstate Orchestras, Inc. Kick-off orchestra for the Easter opening was the famous Fenton Orchestra with dy Roy.

## BOOKER'S SIDELINE

### Mike Speciale Peddling Powder Puffs—Better Than Dance Biz

Cleveland, April 19.

Band-booking biz is so shot to pieces, since three major niterles folded, that ike Speciale now selling powder-puffs. Heads his own Puf-Pac Co., which peddles autographed pink-and-blue puffs in fancy cellophane boxes to the theatrical trade.

Speciale, once a kingpin agent here, is taking a heavy ribbing but retorts it pays more than orch commissions. Two star salesmen on his staff are Gayle Gaylord, his singing wife, and Marty Kane, who used to be ike's biggest booking rival.

# KARZAS IN CRA DICKER

icago, April 19.

Andrew Karzas, operator of the Trianon and Aragon ballrooms, and for years an exclusive Music Corp. of America buyer, is dickering with Consolidated Radio Artists for Blue Barron, current at Edison hotel, N. Y.

Karzas flew to New York last week to hear the band at the Edison hotel and talk turkey at CRA's N. Y. offices. Latter see a wedge into the choice Chicago locations with a deal on Barron whose contract at Edison is up around mid-July. He would not come here until fall.

Ballrooms are famous as starting point in careers of Jan Garber, Wayne King and Kay Kyser, latter two still with MCA.

# TAPS BRINGS UP SMALL ON CHISEL CHARGE

Paul Small of the William Morris office goes before Local 802 of American Federation of Musicians tomorrow (Thursday) to answer charges of chiseling a booking on Panchito's orchestra from band's manager, Taps.

Taps charges at he included Small for 5% when it looked like the Morris office was going to arrange European bookings for Panchito. Without his knowledge, he states, Small contacted Panchito at the Trocadero in Hollywood and signed him to open a date at the Versailles, N. Y., June 1. Taps claims he originally worked on the deal and is contesting the contract.

## Redman's Dough Song

Louisville, April 19.

ing by Don Redman's orchestra for a colored dance held here Wednesday (13) was halted when the leader said he had failed to collect dough guaranteed by local promoter.

Some 500 Negro dancers were left sans music about midnight when Redman ordered his tooters to cease. Redman and his manager, George Pugh, told their troubles to the local police authorities.

## Turnpike Casino Open

Lincoln, April 19.

Turnpike Casino opened Saturday (16) with Hank Halsted batoning. Original plan was to start Friday, but the opener, Jack Denny, was pulled and left Manager R. H. Pauley with nothing to do but replace on short notice. Halsted crew was rushed from the Greyhound club, Louisville, Ky.

Ray Herbeck filled the spot Sunday (17). Both bands booked by Frederick Bros., Kansas City.

Turnpike will run as a sister spot with the dance consession in Fairyland Park, Kansas City, which Pauley also is on a 16-week deal for.

## BARDO'S TEXAS SPOT

Bill Bardo and his orchestra open for the Hitz hotels at the Adolphus, Dallas, May 3, following in Jack Denny.

New unit consists of 19 people, three of them girls. They are Pat Ryan, Honey Dean and Mary Kendall.

### Musician Turns Druggist

Philadelphia, April 19.

Jake Saunders, bass player in Happy Felton's band, has quit.

He has saved up $5,000 and opened a drug stor in Norfolk.

## Formula

San Antonio, April 19.

Radio station here ived the following letter from three jitterbugs, and hasn't quite figured it all out yet:

Dear Corny:

Every Saturday night three of us alligators sit around the house and wait for the cats to start licking their chops on a couple of barrel-house waxings.

We don't care much about the gut-bucket type of getting off. We like the session to be in the groove. Some of the stuff you select sounds suspiciously like coffee and cake musicians playing corny commercials.

What we really prefer on your program is a couple of screwball musikers who can get out of this world with sock choruses plenty solid; not just paperman, but a gate who with the help of a sender can put in some hot licks.

We don't care whether they mug lightly or mug heavy as long as they're kicking out with a lot of woodshed.

*The Three '*

# After-the-Show Swing Party At Paramount, N.Y.

By way of exploiting Gene Krupa's new litter of cats which made its debut last Sat. (16) at Atlantic City, Krupa, Bunny Berigan, Jimmy Dorsey, and Tommy Dorsey staged an impromptu swing session during the last show at the Paramount theatre, N. Y., Thursday (14), where the latter's crew is filling a two-week p. .

Session jammed the Par to near-capacity, but didn't induce any shagging in the aisles, as had been reported of the morning shows. Playing as a unit the quartet wasn't outstanding in view of their individual rating, but the solo licks were in the groove. Though Krupa was the whole works from the time he stepped on, as was intended, Blue knocked 'em out of their seats with takeoff on a burley stripper done while Krupa was beating the brains out of his setup.

In advertising the affair Par placed ads in only the N. Y. Daily News and Mirror, probably figuring Times and Herald-Trib readers wouldn't be interested.

# RHYTHM BOYS NOW 8-MAN ORCHESTRA

Three Rhythm Boys, formerly with Paul Whiteman, and Eddy Brandt, singer currently at the Hotel New Yorker, N. Y., have formed an eight-piece orchestra under the tag of the Rhythm Boys and their orchestra. Crew will be co-operative in so far as the trio and Brandt are concerned, with the other four paid scale.

Now in rehearsal, outfit auditioned last week for a spot at the Rainbow Grill, N. Y., through Rockwell-O'Keefe, but is not being handled by the latter. Andy Gaudette will personally rep.

## Helen Ward's Comeback

Helen Ward, who quit as Benny Goodman's femme vocalist several years ago to devote self to married life, is planning a chanting comeback. Four months ago a baby was born to the onetime member of the Goodman roster.

Just now Miss ard is talking to Columbia Artists, Inc., on getting on the CBS payroll for an air buildup.

## Art Kassel in Cleve.

Art Kassel, whose crew closed at Chicago's Bismack Hotel, now at Statler's Terrace Room for his Cleveland bow. Follows Sammy Kaye, who has a flock of one-nighters lined up for him by MCA and Jimmy Peppe, who opened at Cranston Hotel, Bronxville, N. Y., April 16.

Kassel booked through May 7 by Statler, which is dropping floor shows but keeping smaller orchs for summer sesh. Vira Niva, Glover and La Mae being held over in Current revue until that date, too.

# *On the Upbeat*

**Al Lyons** and his band in Los Angeles following an eastern tour.

**Raymond Scott** and his quintet set for a specialty part in the Sonja Henie starrer, 'They Met In College,' now in production at 20th-Fox.

**rankie Masters** returns to College Inn of Hotel Sherman, Chi., on Friday (22), his fourth repeat.

**Bill Bardo** and band signed to Rockwell-O'Keefe this week. Opens at Adolphus hotel, Dallas, Tex., May 3.

**Jose Manzanares** pacted by Rockwell-O'Keefe.

**Howard oods'** crew exits Laurel-i Lakewood, N. J., April 23.

**Ritz ballroom,** Bridgeport, shows Gene Krupa's nev band Sunday (24) and Benny Goodman's May 8.

**Frankie Carle's** orchestra located at Seven Gables inr ilford, Conn., for indefinite stay

**Ramona** and her orchestra open at the College Inn, Chicago, May 20.

**Meyer Davis** will personally play the Maryland Hunt Cup Ball in Baltimore April 30. Also is set to play the Warrenton Gold Cup Ball, Warrenton, Va., May 7.

**oward Jackson** has completed the scoring assignment on Warners 'Little iss Thoroughbred.'

**Ted Fio Rito** and his orch move into the Del Mar club, Santa Monica, April 22, to stay until May 31 when crew starts an east-bound tour.

**Will Osborne** going into Elitch's Gardens in Denver for the summer.

**Carl Lofner** and his band left Music Corp. of America fold for bookings under Tiny Fishman of the Rockwell-O'Keefe agency.

**Ray Kinney** and his Hawaiians reopen tomorrow (20) at the Lexington Hotel in New York.

**Roger Pryor,** Phil Harris and Joe Sanders will all do series of one nighters following present commitments.

**Joe Sanders** will do one-nighters east to Denver after Palace hotel run in San Francisco, returning through Texas to berth at Los Angeles Biltmore.

**Sid Hoff's** new band at the El Patio ballroom in San Francisco has two canaries—Harriet Ray and Dinorah Rego.

**William W. Sanders** has opened at the Avalon ballroom in San Francisco with Curley Jacob's band nightly except Friday, when Al Dohrman's 12-piece outfit takes over.

**Jess Stafford** leaves Oakland's Lake Merritt hotel after record run of four months, with Neil Bondshu replacing.

**Jules Losch,** drummer with Joe Sudy at Rio Del Mar, anta Cruz, saved a pair from drowning in the surf there.

**Jl le and Billie Richards** orchestra moved out of Atlanta Biltmore Hotel mai dining room Sunday (17) and headed for Syracuse, N. Y., to replace Marvin Frederic at Syracuse Hotel. Frederic is moving into Chicago's Stevens Hotel. Both bands are CRA.

Cecil Rhodes' six-piecer moves into Biltmore. They've been at Balh club in Miami.

**Leo Lazaro** and his Continentals, with Marion Marti opened Saturday (16) in Hotel Ansley's Rathskeller, Atlanta, following engagement at Miami Beach's 5 O'Clock club.

**arold Nagel** opens an eight-week stay at Coronado hotel, St. Louis, Mo., April 30 for CRA.

**Strollers, e Two,** open at Annapolis hotel, Washington, D. C., April 27 for two weeks; Four Top Hats, Normandic, Cleveland, April 20, for four weeks; Versatilions, Abraham Lincoln hotel, Springfield, Ill., April 18 for two weeks, and Two Shades of luc, rier hotel, Danville, ., April 16, weeks. CRA sets all.

**Johnny Hamp** plays annual homecoming ball at St. Mary's college, South Bend, Ind., May 13.

**Buddy Fisher** plays dens, Eldorado, Ark. CRA.

**Hal erdun** goes to Commodore Perry hotel, Toledo, O., April 27 for two weeks.

**Jack Miles** opened at Tutwiler hotel, Birmingham, Ala., April 16 for MCA.

**Wayne King's** theatre touring hits Fox, Detroit, April 22; RKO Palace, Cleveland, 29; Stanley, Pittsburgh, May 6; Earle, Washington, 13, and Earle, Philadelphia, 20.

**Frank Gagan** moves to Statler hotel, Cleveland, May 9, for MCA.

**Buddy Rogers** succeeds Ozzi son at the Palomar, Los Angel May 18. Nelson goes in April 20.

**Bert Block** cleffs for Garden, ittsburgh, startin

**Enoch Light** succeeds George Hall at the Taft hotel, N.Y., May 8.

**Dick Gasparre** set for Ritz-Carlton hotel, Boston. Opens May 10 along with Don De Vodi. One plays for roof.

**ob McGrew** exits Pri Bermuda, April 30, arrivi i N.Y. following day.

**Lucky Millinder** opens at new Ubangi Club, Philadelphi , April 21, for Century. Daisy Winchester vocalist with crew.

**Anthony Trini** playi niters for Century. Hayes.

**Larry Clinton** plays Ithaca College, N.Y., April 30; Union College, Schenectady, N.Y., May 13; Bowdoin College, Brunswick, Me., May 20, and Amherst College, Amherst, Mass., May 29 for ROK.

**Casa Loma** current at Earle, Philadelphi ; one-nites to Metropolitan theatr , Houston, Tex., April 29 for one week. Texas one-niters follow.

**itchell Ayres** booked for Village Barn, N.Y., opening May 1, for Rockwell.

**Jimmy Dorsey** into theatre, N.Y., July 13.

**Rudolph Friml, Jr.,** set for Peabody hotel, Memphis, ril 21.

**Jl rier** one-niting for Rockwell. itto Claude Hopkins in colleges.

**Ina Ray Hutton's** first location date and NBC wire set at New Penn club, Pittsburgh, opening May 27.

**King's Jesters** stay at Carlton hotel, Washington, for four more weeks, then go to Cin-A-Bar, Kansas City, for four weeks opening May 17.

**Hal King** set for su Lakes Park, Columbi starting May 30.

**Teddy King** exited the Strand theatre, Brooklyn, N.Y., to move to New Kenmore hotel, Albany, N.Y., April 22, succeeding Rita Rio.

**Leo atson,** Negro scat singer and trombonist, going with Gene Krupa's band.

## Emery Deutsch's Mutiny

Break between Emery Deutsch and Rockwell-O'Keefe office due this week. Maestro seeks release from his contract. Music Corp. of America is in offing as alternate.

He has been turning down deals offered by R-OK which is trying to hold him to ticket.

### rrin Tucker's Vocalions

rrin Tucker orchestra, currently at the Roosevelt Grill, N. Y., has been signed by Brunswick for four sides on Vocalion discs. Cutting begins April 25.

Tucker's cr Edgewater June 11.

# DEPLORE RENEWAL RAIDS

## Kill Off Plugs by Trickery

Latest headache that publishers' professional men have to contend with is the ruse being used by malicious competitors to kill a plug on a remote band broadcast. NBC and Columbia are making an attempt to track down the perpetrators of the phoney calls. If caught, they and the firms which employ them will be barred permanently from the networks' premises.

Way this devious gentry operates is as follows: They wait until an hour before the name band is due to go on with its sustaining program before getting the leader on the phone. Representing themselves as some one connected with the clearance department of the network concerned, they tell the leader that it has just been discovered that a certain number that he is slated to do that night will be in conflict with an okay given another band that it will be necessary for him to make a substitution.

Tune designated is as a rule the No. 1 plug of the publishing firm involved or looks as though it will be among the leading songs in the current week's breakdown of network performances.

## DENMARK'S OWN JAZZ-CLASSIC BATTLE

Copenhagen, April 9.

Agitation against swing ballads and swing classics has now become an international matter. Latest 'incident' is an order by relatives of Cesar Franck for the young Danish composer, Kaj Rosenberg, to burn the manuscript of his jazz version of Franck's 'Symphonic Variations.'

Rosenberg wrote the piece some years ago, but it existed only in manuscript. Recently Louis Preil's band played it on a special broadcast to England and some of Franck's relatives happened to listen in.

Another recent 'international incident' concerns Tommy Dorsey's swing classics and an 'adaptation' of a Verdi composition. Although Dorsey is tremendously popular here, his jazz recordings of 'Humoresque,' 'Song of India,' etc., are banned here.

But the biggest hit in years is a tango, 'Hear My Song, Violetta,' by the German writers, Klose and Lukesch. Number is note for note the same as a celebrated aria from Verdi's 'La Traviata.' Several publishers tried to buy it for Denmark some years ago, but were told Verdi's heirs would not consent to its publication. Now Boesens Forlag has gone ahead and published it regardless and the tune is a tremendous hit.

## GENERAL MEETING ISN'T NECESSARY

Publishers' availability committee of the American Society of Composers, Authors and Publishers may not wait for a general meeting of the publisher membership to change the royalty payoff system back to what it was prior to January, 1936.

Under the ASCAP bylaws the committee could abolish the present system by a ballot on the proposition. Five out of the seven members would have to concur to make it legal.

## ASCAP Meeting Thurs.

Date for the semi-annual meeting of the membership of the American Society of Composers, Authors and Publishers will be set when the organization's directorate gets together tomorrow (Thursday) for its regular monthly meeting. Membership gathering at the Ritz-Carlton hotel will likely be during the first week in May, with Thursday (5) the favored day.

This luncheon-meeting was postponed several weeks ago because of the serious illness of Gene Buck's son.

**Marvin Frederic** opens at Stevens hotel, Chicago, April 28. Plays a couple of one-niters while en route on Syracuse hotel, Syracuse.

## GROFE'S REVERSE FUGUE

**Kentucky Derby Suite Patterned A La Horse Race**

Kentucky Derby will be set to music by Ferde Grofe who plans cleffing a 'reverse fugue' after the race has been run in May.

Idea is to alter customary start of a fugue's one theme which expands into many and start with many as with horse race. Number of themes will be governed by total of ponies, with music running full course backwards, starting with all nags and working into various fronters and finally one for winner.

## Postal Telly's 1,902 Easter Song Orders Incl. 300 Passovers

Postal Telegraph's Easter greetings via song hit a new high last Sunday with a total of 1,902 such messages sent. Song used was 'Hippa-Hoo,' by Anna Case Mackay, wife of Postal's board chairman, Clarence Mackay, and stepmother-in-law of Irving Berlin. Of the total, 300 were Passover greetings, slight switch in the lyric allowing for this. Song was plugged by Anna Case during the day over WEAF, and she received 30 of the singing messages herself.

Highest number of previous singing messages previously sent were those on Valentine's Day, total being 300.

Mills Music which owns the Mackay song, hopes also to promote a May Day singing message, with Harold J. Rome's song, 'One Big Union for Two,' out of 'Pins and Needles,' the Ladies' Garment Workers Union musical.

## Banjoist Roy Smeck's Marital Discord in Chi

Marital discord has jazzed up the purse strings of Roy Smeck, banjo player who failed to show up in two instances recently in a Chicago court where he had filed suit for divorce from his wife Olga.

Mrs. Smeck, who had made two futile trips from New York to appear before the court, expressed considerable annoyance at the proceedings and the judge, agreeing with her, boosted Smeck's separate maintenance payments from $25 to $50 a week. A judgment for a balance of $2,225 will be entered against him, and lastly Smeck must prove his Chicago residence, or be cited for contempt of court for illegally filing a divorce action as a resident.

## Brown-Dubin Teamed

Hollywood, April 19.

Al Dubin and Nacio Herb Brown have combined forces to turn out tunes for Metro.

Their first chore is to fashion the ditties for Mervyn LeRoy's 'Wizard of Oz.' Brown's former collab, Arthur Freed, is a production aide to LeRoy.

## SOME PUBS SEE INDUSTRY HARM

**Planting Suspicion in Minds of Composers—Bringing Up Whole Gamut of Disturbing Factors—Legally Okay but Ethically Dubious**

### FROWNS DEEPEN

Trade Practice Committee of the Music Publishers Association, which represents the standard field, has come out in condemnation of the renewal-of-copyrights scramble. Committee's move is believed to have been caused by G. Schirmer's taking away of 'The Road to Mandalay' from the John Church Co., which is part of the Theodore Presser combine. Schirmer has obtained the rights of copyright renewal not only of 'Mandalay' but all other works written by Oley Speaks. This list also includes 'Sylvia.'

Weaning away of another's publishers copyrights is attacked by the committee on ethical grounds. It holds that while the legal right to such procedure may not be questioned, the publishers by these methods leave themselves open to suspicion from composer ranks. A composition which is not a success in the catalog of a reputable publisher, can hardly be expected to take on new life in any other catalog; and, by the same token, when a composition is a success in the hands of the original publisher, who but that publisher, the committee asks, should enjoy the credit for having made it so?

**Hurting Industry?**

It is the original publisher, the committee points out, that made the expenditures necessary for publication and promotion, perhaps bringing an unknown composer into such prominence that he may be in a position to receive greater return for future composition. Under these circumstances it is highly dubious, states the committee, whether a competitive publisher is doing the business anything but harm when he suggests to the composer, even by inference, that a transfer of his interests in a work to another publisher will be an actual advantage in the long run.

By raiding one another's catalogs the publishers, the committee warns, are not only undermining the faith of composers in them but are reflecting on the high ethics which the MPA and the standard music industry have tried to maintain.

In the popular field the same controversy over alienating of copyright renewals seems headed for a test suit. Counsel for Shapiro, Bernstein & Co., has prepared papers in an injunction proceeding naming Famous Music Corp., Al Bryan and Fred Fisher as defendants and involving 'Come, Josephine, in My Flying Machine.' Shapiro claims that Bryan and Fisher wrote the tune while they were under an employee-for-hire contract to the firm and they had no right to assign the copyright renewal on the number to Famous. The new copyright on this tune becomes effective at the end of this year.

## Coleman Goes Pierre, Joe Rines at St. Regis

Emil Coleman orchestra, currently at the Hotel St. Regis, New York, has aligned itself with the Music Corp. of America for nitery and other bookings, exclusive of society parti .. He's set to open at the Hotel Pierre, N. Y. while Joe Rines' band succeeds him at the St. Regis when the Viennese Roof opens. Paul and Eva Reyes will be co-attraction.

Coleman will continue to maintain separate offices for skedding upper crust dates.

## Walter Douglas President of M.P.P.A.

**Harry Fox Directs Licensing Phase—Salaried Job for Douglas Is Expected to Follow**

With the intention of eventually making him a paid officer of the organization, Walter Douglas, head of Donaldson, Douglas & Gumble, was elected president of the Music Publishers Protective Association Monday (18) by the trade group's new board of directors. No move will be made to name Douglas chairman of the MPPA's board, with a salary attached to the assignment, until after he has disposed of his publishing connections, if he so elects.

When an influential faction of the new MPPA board suggested at a previous meeting of the board that Douglas be given a salaried position, Lou Diamond, of Famous Music Corp., demurred. Diamond urged that the organization's bylaws be so amended as to prevent any active publisher from serving as a paid official of the MPPA. This objection was compromised by the no-salary designation and the implied commitment that the salaried job would go to Douglas should he dispose of his interests in D, D & G.

Understanding is that Douglas will concern himself with trade and organizational matters and that Harry Fox, who holds the title of general manager, will continue to direct the licensing and directing phases of the MPPA. Association now has 62 publishing firms on its membership rolls, as contrasted with the 29 which prevailed when Fox took over about a year ago.

MPPA's other newly elected officers are Lester Santly, v.p.; Max Dreyfus, treasurer, and Jack Mills, secretary, while the new board consists of Douglas, Santly, Dreyfus, Mills, Saul Bornstein, Louis Bernstein, Edwin H. (Buddy) Morris, Jack Bregman and Johnny O'Connor. All but Santly and O'Connor, ex MPPA prez, are also directors of the American Society of Composers, Authors and Publishers.

## Getting Used to Him

Nashville, April 19.

A bit of a record among bands is Francis Craig's long stay at the local Hermitage Hotel.

Thi is 10th consecutive year.

## KYW SONG RULE NO HIT WITH PLUGGERS

iladelphia, April 19.

KYW's new plan, in effect about a month now, of program department selecting all music for orch and chirpers has local song pluggers in a dither. Although they like the idea in some respects, they don't relish it enough to want to see it spread to other stations.

George Dallin, Robbins rep, summed up the feeling of all the pluggers: 'We think each vocalist should be allowed to select his or her own numbers because only the individual knows what is best suited for his voice. Same applies to orchestras. The leader knows what his men can play. The present situation at KYW is going to lead to plenty of bad selections. It's inevitable.'

Edict that program department would choose all music was drawn up by KYW, it declared at the time, because of the pressure being put on its artists by the pluggers. Jim Begley, program director, claimed that the talent wasn't able to select tunes best suited for it because it was too often doing favors or turning past favors to the pluggers.

Portion of KYW plan approved by music reps is that which provides them with a list more than a week in advance of what tunes will be used on every show. Roster is left with the phone operator who is privileged to give it to any accredited plugger. Names of songs were previously obtained by annoying the program department and then they were only a few days in advance and sometimes inaccurate.

## PHILADELPHIA HOTEL PICKETING CONTINUES

iladelphia, April 19.

Conti negotiations toward ending musicians' picketing of Broadwood Hotel here having proved futile, they've been dropped. Both sides now determined on a fight to the bitter end.

Union demands hotel sign a closed shop agreement to allow only A.F.M. bands to play at private functions. Hotel maintains it is the privilege of any group merely renting a room to employ whatever band it chooses.

Newspaper Guild and Teachers' Union, which have headquarters in the Broadwood, were preparing to move this week unless picketing ceases. They refuse to cross the line.

## Professional Men's Lineup

Annual show which the Professional Music Men, Inc., is putting on at the Alvin theatre, New York, May 1, will include George M. Cohan, Eddie Cantor, Benny Goodman, Guy Lombardo, Ben Bernie, Ritz Bros. and Lou Holtz.

Event has been postponed from April 27 in deference to the George M. Cohan-Catholic Actors Guild dinner being held that same night.

## IMPORTING ROYAL SCOTS BAND FOR CANADA EXPO

Elwood A. Hughes, g.m. of Canadian National Exhibition in Toronto, world's largest annual fair, sails for England today (Wednesday) to engage the Royal Scots Artillery band for his shindig. He has been in New York for a week conferring with New York World's Fair officials and talent o.o.'ing. Will be gone about 20 days in all.

At fair in Toronto this year, Hughes will introduce giant-scale outdoor dancing on a taxi dance basis which the exhibition itself will operate, as against former commercial concession. Previously dancing was all indoors. Same setup of two top name bands will be used on changeover.

## Bennett's N. Y. Fair Job

Hollywood, April 19.

R. Russell Bennett, of RKO studio's music department, has been set by Olin Downes, N. Y. Times music crick and the musical director for the New York World's Fair, to do the musical arrangements for the expo's preview festival to be held in Manhattan May 1.

Included in the assignment are the arrangement for the 'Showboat' number, as well as the writing of a song titled 'TNT Cocktail.'

## Krupa's Personnel

Gene Krupa orchestra goes into the Arcadia-International, Philadelphia, for three weeks opening May 5. Krupa's crew opened Saturday (16) in Atlantic City.

Personnel of the band include: Krupa, drums; Milton Raskin, piano; Ray Biondi, guitar; Horace Rollins, bass; Tommy DiCarlo, Dave Schultze, and Tom Goslin, trumpets; C ck Evans, Bruce Squires, Charles McCa ish, trombones; Vido Musso, Carl Biesecker, Murray Willia and George Siravo, saxes.

★ ★ ★ ★ ★ FIVE-STAR SONG SPECIALS ★ ★ ★ ★ ★

The New Ballad Hit
THERE'S A VILLAGE IN A VALLEY
By Mitchell Parish and Abner Silver

A Coast-to-Coast Hit
IT'S WONDERFUL
By Stuff Smith and Mitchell Parish

A Positive "Natural"
WHERE HAVE WE MET BEFORE?
By Louis Prima, Mitchell Parish and Jimmy Kloer

New Sensational Novelty Hit
I LOVE TO WHISTLE
By McHugh and Adamson
rom the New Universal Producti
"MAD ABOUT MUSIC"

The New Ballad Fox Trot
MOONSHINE OVER KENTUCKY
By Pollack and Mitchell
the 20th Century-Fox Production
"KENTUCKY MOONSHINE"

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# Lily Pons Tours; Other Met Stars Set World Dates

Approximately three months of concert and radio work have been booked for Lily Pons on her South American tour, which starts late in June. Metropolitan Opera soprano, now on an extensive European concert and opera tour, will make her last currently scheduled appearance in Brussels May 6. Then returns to New York. She'll leave for S. A. June 18, returning to the U. S. in October. No picture plans for next season have as yet been made by the singer.

Lotte Lehmann, Metropolitan Opera soprano, is returning to Covent Garden, London, for five performances beginning May 4. 'Der Rosenkavalier' will be the opener. Singer will return to the U. S. July 15 for several summer engagements.

Lauritz Melchior, leading heroic tenor of the Metropolitan Opera Co., will sing the top tenor roles in two complete cycles of Wagner's 'Niebelungen Trilogy,' in addition to several 'Lohengrin' performances next month at Covent Garden, London. Will also sing with the Paris Grand Opera in June.

Ezio Pinza, leading basso, and Elisabeth Rethberg, leading soprano of the Met, will team for South American concerts within the next few months. Pair will be heard together today (Wednesday) and Friday (22) in Havana. Both are also skedded for summer opera at the Teatro, Colon, during their S. A. tour.

Nino Martini will be featured at the Ann Harbor Festival, ay 13. He also plans a trip to his native Italy, the first in five years.

Rose Bampton, Metropolitan Opera soprano, will sing the opening hymn at the 'preview' of the New York World's Fair May 30.

Dr. Wilfred Pelletier, etropolitan Opera conductor, will conduct the Bach music festival i ontreal May 30 through June 1.

# MARTINI HURT IN RAIL CRASH; CONCERT OFF

Denver, April 19.

Leg injury sustained by Nino Martini Saturday (16) night in train wreck near Hudson, N. Y., resulted in cancellation of Denver concert scheduled for last night (18).

Martini returned to New York for treatment.

# Aussie Concert Season, Grand Opera Splurge

Sydney, April 2.

Concert season which commences here next month is expected to return a healthy gross to Williamson-Tait and the Australian Broadcasting Commission. Artists booked for tour under the separate managements will include Lawrence Tibbett, Alexander Kipnis, Georg Szell, Kirsten Flagstad, Sigurd Rascher, Richard Tauber, Dr. Malcolm Sargent, and Guila Bustabo.

Last concert season was tremendously successful one for A.B.C. and W-T with overseas performers, and it is believed that the coming season will surpass it.

Melbourne, April 2.

Sir Ben Fuller, by arrangement with Senor Izal, will bring an Italian troupe to Australia for a grand opera try. Opening will be in this spot early in July, after which will come a season in Sydney and possibly New Zealand.

Understood that arrangements were completed in Rome last week and that bonds have already been posted.

## Chaliapin's L. A. Will

Hollywood, April 19.

The will of Feodor Chaliapin, on file in Los Angeles for probate, bequeaths his property here, valued at $100.000, to his second wife and three daughters.

Opera singer left two other wills.

# Breakdown of Network Plugs, 8 A.M. to 1 A.M.

*Following is an analysis of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (April 11-17). Grand total represents accumulated performances on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. 'Commercials' refers to all types plugs on sponsored prograı In 'Source' column, * denotes film song, † legit tunes, and 'pop' speaks for itself.*

| Title | Publisher | Source | Grand Total | Commercials | |
|---|---|---|---|---|---|
| Ti-Pi-Tin | Feist | Pop | 56 | 15 | |
| How'd You Li | Famous | *College Swing | 43 | 10 | |
| Please Be Ki | Harms | Pop | 38 | 8 | |
| On the Sentimental Si | Select | *Dr. | 37 | 5 | |
| It's Wonderful | Robbins | Pop | 36 | 7 | |
| You're an Education | Remick | Pop | 35 | 3 | |
| Sunday in the Park | Mills | †Pins and Needles | 34 | 3 | |
| Love Walked In | Chappell | *Goldwyn Follies | 33 | 9 | |
| Good Night, Angel | Berlin | *Radio City Revels | 31 | 6 | |
| Cry, Baby, Cry | Shapiro | Pop | 31 | 5 | |
| Let's Sail to Dreamland | Spier | Pop | 30 | 3 | |
| Don't Be That Way | Robbins | Pop | 29 | 3 | |
| At a Perfume Counter | Donaldson | †Casa Manana Revue | 28 | 1 | |
| Who Are We to Say? | Feist | *Girl of Golden West | 28 | 4 | |
| Bewildered | Miller | Pop | 27 | 1 | |
| I Simply Adore You | Ager-Yellen | Pop | 27 | 2 | |
| Heigh-Ho | Berlin | *Snow White | 27 | 6 | |
| Whistle While You Wor | Berlin | *Snow White | 27 | 5 | |
| Thanks for the Memory | Paramount | *Big Broadcast | 26 | 6 | |
| In My Little Red Book | Marks | Pop | 26 | 1 | |
| Moon of Manakoora | Kalmar- | *Hurricane | 25 | 6 | |
| One Song | Berlin | *Snow White | 25 | 4 | |
| Two Bouquets | Shapiro | Pop | 24 | 1 | |
| Joseph, Joseph | Harms | Pop | 24 | 5 | |
| Something Tells | Witmark | Pop | 24 | 4 | |
| Dipsy Doodle | Lincoln | Pop | 24 | 4 | |
| I Can Dream, Can't I? | Marlo | †Right This | 23 | 4 | |
| I Fall in Love With You Every | Famous | *College Swin | 23 | 3 | |
| My Heart Is Taking Lessons | Select | *Dr. Rhythm | 22 | 4 | |
| Garden in Granada | Schuster- | Pop | 22 | 1 | |
| You Couldn't Be Cuter | Chappell | *Joy of Living | 21 | 3 | |
| Toy Trumpet | Circle | *Rebecca of Sunnybrook Far | 21 | 2 | |
| I See Your Face Before Me | Crawford | †Between the Devil | 20 | 1 | |
| I Love to Whistle | Robbins | *Mad About Music | 20 | 5 | |
| Two Shadows | Witmark | *Two Shadows | 19 | 2 | |
| More Than Ever | Miller | Pop | 19 | 3 | |
| I Can't Face the Music | Remick | Pop | 18 | 0 | |
| Romance in the Dark | Famous | *Romance in the Dark | 18 | 3 | |
| This Time Its Real | Spier | Pop | 16 | 2 | |
| Lovelight in the Starli | Paramount | *Her Jungle Love | 16 | 0 | |
| I Live the Life I Love | Words-Music | †Fifty-Fifty | 16 | 1 | |
| Just Let Me Look at You | Chappell | *Her Joy of Livi | 16 | 3 | |
| Always and Always | Feist | *Mannequin | 15 | 5 | 9 |
| Little Lady Make Beli | Olman | Pop | 14 | 1 | 13 |
| Where Have We Met | Robbins | Pop | 13 | 1 | 11 |
| Hometown | Crawford | Pop | 13 | 5 | 10 |
| You Went to My Head | ABC | Pop | 13 | 0 | 8 |
| It's Easier Said Than Done | Olman | Pop | 13 | 1 | 7 |
| Stop and Reconsider | Lincoln | Pop | 13 | 2 | 5 |
| Sweet as a Song | Robbins | *Sally, Irene and Mary | 12 | 3 | 10 |
| In the Shade of the New | Chappell | †Hooray for What | 12 | 1 | 10 |
| Loch Lomond | Robbins | Pop | 12 | 3 | 9 |
| Love Is Here to Stay | Chappell | *Goldwyn Folli | 12 | 0 | 9 |
| I Double Dare You | Shapiro | Pop | 12 | 2 | 8 |
| Three Blind Mice | Tenney | Pop | 12 | 3 | 7 |
| In the Still of the Night | Chappell | *Rosalie | 12 | 1 | 7 |
| Gypsy in My Soul | Words-Music | †Fifty-Fifty | 12 | 3 | 6 |
| I Was Doing All Right | Chappell | *Goldwyn Follies | 12 | 0 | 6 |
| You'd Better Change Your | Ager-Yellen | Pop | 12 | 1 | 4 |
| It's Just a Simple Melody | Witmark | *Script Girl | 12 | 1 | 2 |
| On the Sunny Side of the Rocki | Hollywood | *Roll Along | 11 | 0 | 7 |
| I'm Glad I Waited for You | Stasny | Pop | 11 | 0 | 6 |
| At Your Beck and Call | ABC | Pop | 10 | 0 | 8 |
| Let Me Whisper | Chappell | Pop | 10 | 0 | 7 |
| Lost and Found | Santly-Joy | Pop | 10 | 1 | 6 |
| Romance in the Rain | Red Star | *Harlem on Prairie | 10 | 1 | 3 |
| An Old Straw Hat | Feist | *Rebecca of Sunnybrook Farm | 10 | 0 | 3 |

# Disc Reviews

### By Abel Green

**Maxine Sullivan**, colored songstress at the Onyx Club, who came to the fore rather meteorically under **Claude Thornhill's** guidance and musicianly arrangements, with the swing versions of 'Annie Laurie' and 'Loch Lomond,' has been lured away from Brunswick on to the Victor label. Her debut entry is No. 25802, 'Moments Like This' from 'College Swing' (Par.) and 'Please Be Kind.' Miss Sullivan's style is labeled 'vocadance,' and Eli Oberstein (Victor) creation, and quite fitting. Maestro-arranger Thornhill batons the back-up orchestra. But, somehow, this lazy swing is a bit too much in the same groove to excite. A sharper contrast on both sides would more signally have teed off her first efforts on the RCA label.

**Guy Lombardo** on Victor 25786 does well with 'Ti-Pi-Tin,' novelty rhythmic waltz by Maria Grever-Ramond Leveen which Horace Heidt first introduced from mss. 'Let's Sail to Dreamland,' reverse, is a melody foxtrot ballad. **Carmen Lombardo** and the trio, per usual, on the vocals. On Vocalion 3991, **George Hall's** version of 'Ti-Pi-Tin' is equally smooth, paired with 'Gypsy Told Me' out of 'Happy Landing.' **Dolly Dawn** and **Donald Carroll** split the vocals.

A vocal blues is 'I Can't Dance (Got Ants in My Pants') and 'Round and Round' by **Kitty Gray** and her Wampus Cats on Vocalion 03992. Kitty blues the larynx. **Lorraine Walton** gets very confidential with 'If You're a Viper' (Rosetta Howard), a somewhat naughty marihuana lyric, primed to appeal to the swing-lane jitterbugs who might be full of 'tea' or 'muggles,' as the prohibited reefers are clubbily called. Bluester, backed by a piano, guitar, clarinet and bass combo, gives out on Vocalion 03989, paired with an original 'Waiting Blues.' Both these are patently primed for the coin operators' trade.

More decorous vocals: **Pinky Tomlin's** 'My First Impression of You' from 'Having Wonderful Time' (RKO), and 'Lost and Found' on Brunswick 8091, **Cy Feuer** maestroing; and **Phil Regan's** 'When Irish Eyes are Smiling' and 'Come Back to Erin,' specially released for the Paddy's Day market. Feuer also batons. Br. 8086.

'You're an Education' and 'Two Bouquets,' latter from an English film, are in the **Russ Morgan** manner, Br. 8084. **Bernice Parks** and **Mert Curtis** vocalize. Sharply contrasting is **Barney Bigard** and his orchestra with 'If I Thought You Cared' and 'Drummer's Delight' (by Bigard and Duke Ellington) on Voc. 3985, produced by Master. This latter twain are in the ultra advanced manner, with plenty of swingo.

**The Andrews Sisters**, who were the first to tee-off 'Bei Mir,' have a new one, also from Yiddish musical comedy archives, originally titled 'Yussel, Yussel,' and now called 'Joseph, Joseph.' Their Decca 1691 recording of this and 'It's Easier Said Than Done' is in the same scat style that first distinguished these newcomers on the wax. A snappy swing octet, Frank Froeba, John McGee, Vic Schoen, Tony Zimmer, Dave Barbour, George Mazza, Haig Stephens and Sammy White, back up the Andrews who are known around the Chi niteries. As with 'Bei Mir,' Cahn-Chaplin have refurbished the original by Casman-Steinberg.

Another swing classic by the **Andrews Sisters**, with the same instrumental backup, is a vocadance version of 'Ti-Pi-Tin,' cleverly arranged. The back-up piece, 'Where Have We Met Before,' is also good material for their style. Decca 1703.

Bluebird 7466 has another import; this time by two English dance bands, **Roy Fox** and **Ben Frankel**, who evidence a nice style with their waltz-foxtrot couplet from two Metro operettas, doing 'Will You Remember?' from 'Maytime' (Romberg) and 'The Donkey Serenade' from 'Firefly' (Friml). Fox, who is really an American but better known as a smart London cafe dance purveyor, handles the waltz, with **Denny Dennis** featured vocally. Frankel does the foxtrot excerpt.

**Larry Clinton**, composer-arranger, whose swing versions of 'I Dreamt That I Dwelt in Marble Halls,' 'Martha,' etc., got a lot of attention, rings the bell again with his versions of the Gavotte from the opera 'Mignon' (Thomas) and 'Dance of the Hours' from Ponchielli's 'La Gioconda.' They're sweet-swingo, but of the type which has created the to-do in some communities anent swinging the classics. Per usual, **Bea Wain** gives out in an ultra-modern super-52d street vocal swing style. But, basically, it's Clinton's crack arrangements and a snappy team of jamsters including F. Hereford, T. Zimmers, G. Dessingers and D. Watt, saxes; J. Sexton, W. Smith, S. Baken, trumpets; F. Leary, A. Russo, trombones; J. Chesleigh, guitar; A. Whistler, string bass; S. Mineo, piano; R. ichaels, drums. Victor 25805.

Brunswick 8095 has a brace of interesting waxings by the **Strings in Swing Time**, maestroed by **Vladimir Selinsky**, who has demonstrated swingo chamber music on the concert platforms. 'Professor Visits Harlem,' by Franklyn Marks, and another descriptive instrumental piece, 'Oriental Stock Exchange' (Croom-Johnson) are ideal for this Brunswick experiment in advanced symphonized swingo. They'll be jammi ' the waltz next!

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•
YOU WENT TO MY HEAD
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# 15 Best Sheet Music Sellers

*(Week ending*

| | |
|---|---|
| Ti- i-Tin | Feist |
| •Love Walked In | Chappell |
| •Heigh-Ho | Berlin |
| •Whistle While You Wor | Berlin |
| Please Be Kind | Harms |
| •Goodnight, Angel | Berlin |
| •How'd You Like to Love Me? | Famous |
| You're an Education | Remick |
| •Thanks for the Memory | Paramount |
| It's Wonderful | Robbins |
| •Always and Always | Feist |
| •Old Apple Tree | Witmark |
| †In the Shade of the New Apple Tree | Chappell |
| •Toy Trumpet | Circle |
| †At a Perfume Counter | Donaldson |

*• Indicates fil ical song. † Indicates stage production song. The others are pops.*

# PHILA. ORCH AT $6,900 IN N. Y. CONCERT

Carnegie Hall drew the big business for New York's concerts last week, with all major Gotham events taking place there. Philadelphia Orchestra was the week's biggest moneymaker.

Marian Anderson,, Negro contralto, and the Philharmonic-Symph also did well. It was the Symph's next to last week.

**Estimates for Last**

**Philadelphia Orch,** Carnegie Hall (2,760; $3.50-$1.50). Tuesday (12); Eugene Ormandy conducting and John Charles Thomas as soloist, the orchestra soared to a bi ,900 sellout, unusual for what is considered a bad night.

**Philharmonic-Symph,** Carnegie Hall (2,760; $3-75c). Three concerts, with John Barbirolli conducting and Richard Bonelli as name soloist, drew big $15,000, one of the season's best, in the next-to-last week; usual Friday afternoon concert was shifted back to Wednesday afternoon (13) instead.

**Marian Anderson,** Carnegie Hall (2,760; $3.30-$1.10). Final in the eight-concert series by the Negro contralto, near-sellout of $5,800.

## Amato U. S. Citizen

Baton Rouge, April 19.

Pasquale Amato, head of the opera department, School of Music, Louisiana State U., and for years a leading baritone with the Metropolitan Opera Company, was one of 15 receiving American citizenship in final naturalization proceedings in Federal court here last week.

Amato was born in Naples, Italy.

**Lew Porter** wrote two songs, 'Beautiful' and 'Je t'Aime,' which Jimmy Newell will warble in Grand National's 'Renfrew Rides North.'

## O. H. Bullitt Named Prez Of Orch Assn. in Philly

Philadelphia, April 19.

rville H. Bullitt, banker, of Ambler, Philadelphia suburb, was named prez of the Philly Orchestra Assn. by the board of directors last Thursday (14).

He succeeds Dr. Thomas S. Gates, prez of the U. of Pennsylvania; who takes the newly created post of board chairman.

# THOMAS TO GET $7,500 IN L.A. 'BLOSSOM' LEAD

Los Angeles, April 19.

John Charles Thomas has been engaged by Edwin Lester, general director of the Los Angeles Civic Light Opera Assn., at $7,500 to sing the lead in 'Blossom Time' for one week opening May 16 at the Philharmonic Auditorium. Subsequent offerings will be 'The Student Prince' (23); 'New Moon' (30), and a fourth production, to be announced week of June 6.

Thomas, now in New York, will arrive here May 2 to start rehearsals. Among sponsors of the opera season are Walt Disney, Cecil B. DeMille and others of the picture industry.

## Henley Appointed Super Of Coast Music Project

San Francisco, April 19.

Homer Henley, local critic-singer-teacher, has been named supervisor of Bay Region Federal Music Project by Regional Director Alfred Hertz. Giulio Silva, present temporary head; will give full time to directing WPA chorus.

With end of regular symphony season, Federal Symphony will give fortnightly concerts through summer. Permanent batoneer for orchestra not yet signed, but future guest conductors include Richard Hageman, Nikolai Sokoloff, Antonio Brico, Mary Carr Moore and Walter Herbert.

BERLIN • BULLETIN

ALWAYS FOLLOW A LUCKY STREAK!
*New Hits from the ITS*

• • • •

**You'll Be Reminded Of Me**
By George Jessel-Jack Meskill and Ted Shapiro
FROM THE RKO-RADIO Picture
"VIVACIOUS LADY," starring Gi

• •

**Cathedral In The Pines**

•

in RADIO CITY REVELS—Score by Magidson & Wrubel
IGHT ANGEL The Number One Song Hit
THERE'S A NEW MOON OVER THE OLD MILL

•

The Best Novelty Song of the Year
**Do Ye Ken John Peel?**

• •

And Eight Songs from Walt isney's
SNOW WHITE AND THE SEVE DWARFS

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

## Music Notes

**Charles Rosoff** and Eddie Cherkose have made a deal with Mills Music Co., for publication of 'Ride, Amigos, Ride,' 'Song of the Rose' and 'What Care I,' which they cleffed for Monogram's 'Rose of the Rio Grande.'

**L. Wolfe Gilbert Co.** closed thr year deal with Albert C. Colu Republic musical director.

**Bernie Hannigan** and Johnny Mercer cleffed 'As Long As You Live,—You'll Be Dead When You Die,' and Charles Henderson, Winky Tharp and Hannigan dished up 'It's Against the Law in Arkansas' for Warners 'Mr. Chump.'

**Dimitri Tiomkin** signed by Metro to adapt the Johann Strauss music for 'The Great Waltz.'

**Shapiro - Bernstein** is publishing 'Jessomine,' Paul Martin's theme, which he wrote 12 years ago in school days and which he has been using on all of his musical shows from the San Francisco studios of NBC. Deal was closed by Dave Gordon, Coast rep for publishers. S-B also closed with Hal Roach for publication rights to background music and song numbers cleffed by Arthur uenzer and Phil Charig for the new Laurel-Hardy feature, 'Swiss Miss.'

**ranz axman,** Bob right and Chet Forrest cleffed four song numbers: 'Yankee Ragtime Jazz,' 'Forever Follow Truth,' 'Comrade Song' and 'How Can I Leave Thee' for Metro's 'Three Comrades.'

**Meredith Willson's** selection of the 10 most beloved melodies of all time as used on Metro-Maxwell show being published by Robbins in May.

**Ralph Rainger** and Leo Robin cleffed the cowboy lament, 'Silver on the Sage,' which Bill Roberts will warble in Paramount's 'The Texans.'

**Isham Jones** and Jimmy Dorsey have been dated for the Ocean Pier, Wildwood, N. J., May 28 and 29, respectively.

**Jimmie McHugh** and Harold Adamson are writing the numbers for Universal's 'That Certain Age,' Deanna Durbin's next picture. Tunesters are also working on ditties for the same company's 'The Rage of Paris.'

**alter Bullock** and Harold Spina are cleffing the songs for hirley Temple's next 20th-Fox rrer, 'Lucky Penny.'

**Frank Loesser** and Alfred Newman won Ascap's award for the most outs ing film song for the first quarter of 1938 with their 'Moon of Manakoora' for Samuel Goldwyn's 'Hurrican .'

**Eddie Cherkose** and Roy Webb sold their ditty, 'Love Must Have Caught My Eye,' to RKO. Joe Morrison will sing it in 'Picketing for Love.'

**Roy Webb** assigned to wri the score for five RKO pictures; 'Gun Law,' 'Having Wonderful Time,' 'Vivacious Lady,' 'Blind Ali i' and 'Saint in New York.'

**Victor Baravalle** cleffing the score for RKO's new Fred Astaire-Ginger Rogers picture, 'Carefree.'

**David Snell,** Metro musical director, is writing the scores for 'The Clock Ticks On,' 'That Mothers Might Live,' 'Snow Gets in Your Eyes,' 'The Pay-Off' and 'Surf Heroes.

**Hilda Emery Davis,** wife of orch leader Meyer Davis, has cleffed new tone poem, 'The Last Knight,' which will be preemed by NBC Symph under Pierre Monteux on May 7. She's had six compositions ublished.

**Solly Cohen** has joined the York professional staff of Kal & Ruby as assistant to El

Harry Sosni ucting the orchestra supporting rances Langford, Dick Powell, Judy Garland and Connie Boswell for their ecca recordings.

He will also do mentals fro is

# Lohr, NBC Prez, Denies Raiding Philadelphia Orch for Toscanini

### Walter Too Late

Philadelphia, April 19.

Bruno Walter was recently offered and turned down leadership of Pittsburgh symphony, it was learned here this week. Short time later, Walter cabled a hurried change of mind. But he was too late. Job had already been passed out to Fritz Reiner at figure reported to be $30,000 a year.

Negotiations ith Walter, who was in Austria at the time, were handled through Arthur Judson, manager of Columbia Concerts. Walter, on the initial bid, refused to leave his native land. With the anschluss, however, he is forced out of his native country.

Phila hia, April 19.

Lenox R. Lohr, prez of National Broadcasting Corp., in a letter to Dr. Thomas S. Gates, chairman of the board of the Philadelphia Orch Assn., denied that NBC was raiding the local organization to obtain men for its symph. Lohr said that if any of the men left it was only through a desire to play with Toscanini.

fs in Philly have been that NBC has been offering big salaries to lure men away in order to make good the promise to Toscanini to get him the best crew available. here has been gos ip of $15,000 salary offers to $7,500 men.

Only one man has actually left, it developed this week. He is Arthur I. Berv, soloist, and first French horn player. Two others, Charles Gusikoff, first trombonist, and Anton Torello, first contrabassoonist, attempted to quit the Philly symph for NBC's, but were prevented by the union. Latter upheld Philly Orchesra Assn's claim that six months' required notice had not been given. Another man has resigned from the orchestra and is understood negotiating Toscani i's outfit.

Des ite led guffaws over Lehr's claim that desire to be batoned by Tosci was the only reason men would leave the Philly group, it's unanimously agreed by music crix that the local Symph has slipped since Stokowski left. There is reported disatisfaction with Eugene Ormandy, his successor, and it's almost certain that Ormandy will be out when his three-year contract expires at the end of next season.

Ormandy, it's agre , is capable enough, but just unfortunate in having to fill a hole left by Stoki, considered here as a genius. Who will follow Ormandy is much in the air as there are very few big enough men available. Bruno Walter has been mentioned.

**Fred Stryker** and Morton Green sold their song number, 'Got Some Ridin' to Do,' to Sol Lesser for use in Principal Pictures' 'Lord of the Panamints.'

# AGMA REELECTS SAME SLATE; TIBBETT, PREZ

American Guild of Musical Artists held its annual membership meeting Monday (18) at the Hotel Plaza, New York. Principal action of the session was re-election of the officers, headed by Lawrence Tibbett, president. Singer did not attend the confab, having left recently on an Australian concert tour.

Five members of the board of directors were named. Only one, Edward Harris, is a newcomer. He replaces Deems Taylor. Others, all of whom succeed themselves, include Alexander Smallens, Frank Chapman, Charles Hackett an Efrem Zimbalist.

Date will be set today (Wednesday) for the former Grand Opera Artists Assn. of America members to name their representative on the AGMA board. However, such reps may not take office until the new AGMA charter is approved. Earliest likely date for that is the end of May.

**Everett Hoagland** into the Willows, Pittsburgh, May 25.

Feist

WHO ARE WE TO SAY
SHADOWS ON THE MOON
MARIACHIE
GIRL OF THE GOLDEN WEST
*By Sigmund Romberg and Gus Kahn*
*From the MGM picture "The Girl of the Golden West"*

*The Sensational Mexican Waltz So*
TI-PI-TIN
*Music and Spanish Lyric by Marin*
*English Lyric by Raymond Leveen*

AN OLD STRAW HAT
*By Mack Gordon and Harry Revel*
*From the 20th Century-Fox Picture*
*"Rebecca of Sunnybrook Fa "*

ALWAYS AND ALWAYS
*By Bob Wright, Chet Forrest and Edw*
*From the MGM picture "Mannequin"*

THE ONE I LOVE
*y Gus Kahn, B. Kaper and W. Jurman*
*rom the MGM picture "Everybody Si*

*Ji rsey's rand Tuna*
IT'S THE DREAMER IN ME
*immy Van Heusen*

Leo Feist inc.

# Vaude Policy, Sans Girls, for Casa Manana; Lyman-Billy Rose Charges

Abe Lyman, macstro, and Billy Rosc, manager of the Casa Manana, New York, go before board of Local 802, merican Federation of usicians, to answer to complaints of overworking Joe Candullo's dance orchestra. Beef virtually constitutes an under-scale charge in view of long hours and unadjusted pay of Candullo's group.

Rose has passed the buck to Lyman, it is stated, blaming the condition on Lyman's sessions, thus forcing additional time on the other band.

Hearing involves settlement of back coin allegedly due for the stretching. Rose, it is said, has informed the union that if nicked he will shutter and then sue the union for forcing the shuttering.

Lyman is in for $2,000 weekly with 19 men and cuts down his scale on men by the by-play while Candullo's is upped. Rose feels Lyman is responsible as the musical contractor for the spot.

Meanwhile plans for new girl-less show to replace current setup go on with Lou Holtz and Vincent Lopez set for opening May 1. Will be a vaude arrangement of names, but no dames. Bills change every two weeks.

## Sablon's Montreal Date

Jean Sablon, French tenor, under contract to NBC Artists, plays a week of vaude at Loew's, Montreal, opening Friday (22).

Singer played a date at same house last spring, these two weeks being only stage dates Sablon has had since NBC brought him over two years ago. Has been steadily sustaining on the network, never having bagged a sponsor for other than guest spottings.

## Different Marden Show

Opening shows of Ben Marden's Riverla, May 19, will be of different type than heretofore. Usual floor girl line is out although a half dozen showgirls will be used. Sophie Tucker and Eugene and Willie Howard will top.

Leonard Sillman is staging.

**Bell's Hawaiian Follies**

Apr. 21-22—West, Trinidad, Colo.
Apr. 23-24—Coronado, Las Vegas, N.M.
Apr. 26—Silco, Silver City, N. M.

Mgt. BOB HICKS PAGE
314-21st Avenue
ALTOONA, PA.

## F-M Sets Deal to Book At Million $ Pier, A. C.

Fanchon & Marco has made a deal with George Hamid, who has taken over Million Dollar Pier, Atlantic City, to book the acts and produce the shows ther is summer, starting June 25.

Hamid will take care of the outdoor and circus acts spotted in the Pier, with F. & M. handling stage bookings. Agency will change shows weekly, using 16 girls and four or five vaude acts on each bill.

# Kelly Hits Merger Of Philly Bookers; Seeks New Group

iladelphia, April 19.

Despite much-ballied merger of cabaret and club bookers coupla weeks ago into Theatrical Managers Assn. of Eastern Pennsylvania, Tom Kelly, biz agent of United Entertainers Assn., local nitery talent union, claims the new outfit is still impotent and unrepresentative.

He sent out letters during the past week to all 10%-ers in town offering to set a meeting time, provide a place and help them organize. He declared it's to interest of his group to have a strong agents assn. to prevent cut-throat competish.

TMA is outcome of combo of old Licensed Bookers Assn. and Contractors Assn. Contractors until recently were against being licensed, but all except one have now obtained state certificates. Kelly discredits the merger because new group includes from 15 to 20 members of former Contractors group and fewer than five of the cabaret bookers. He said his aim is to get all of them into one large group.

Melding of United Entertainers Assn., local nitery talent union, into American Federation of Actors, was delayed during past week by circus strike in New York.

Talks skedded between Tom Kelly, UEA biz manager, and Ralph Whitehead, AFA prez, were held up due to Whitehead's activiti in the Ringling tie-up. Confabs, it's expected, will go on this week and UEA shortly will be back in AFA fold, from which it strayed in battle over local autonomy several years ago.

### NITERY RADIO DOUBLE

Philadelphia, April 19.

Happy Felton's band, from Arcadia-International, now doubling on WIP three times weekly.

Ponti's Music, from Dutkin's Rathskeller, now goes on station nightly.

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## • 15 YEARS AGO •

*(From Variety and Clipper)*

Isham Jones and his orch in a vaude debut at the Palace, Chi. Had been playing at the College Inn and cashing in on his popularity there. His 10-man band wa. tops.

Only seven acts at the N. Y. Palace, but the bill ran long, due to encores. Hugo Riesenfeld's orch topping. Julian Eltinge in a new act was right alongside.

Garry Owen, who had done fairly well as a singing single, went into a sketch, playing a dock rat, and got about all there was to be had from the audience at the Colonial. Had been wasting his ti ith the old stuff.

Long Tack Sam company at the State. Had played the Palace, in the block above, only a couple of weeks before.

Vincent Lopez and his band number three at the Riverside because he was doubling at the Coliseum. Put in to fill the niche left by failure of Adelaide and Hughes to show.

Edwin August, one-time fave stock leading man, was doing 'Making Amateur ovies' along the lines followed by etro in the Loew houses, but playing the Keith time. Took pics at each show, which could be seen the first half of the following week.

im Leong, Chinese restaurant man, was opening the Bamboo Gardens in Cleveland. Reputed to represent an investment o $1,000,000.

Midget autos announced to race at the Kansas City speedway. First appearance of the midges.

Sidney Cohen fighting American Society of Composers, Authors and Publishers. Refused to pay the music tax and appealing from one court to the next higher.

Goldwyn won over Paramount on the Cosmopolitan rel ses. Par claimed rights to feature, though Hear had shifted to Goldwyn.

George Barnes, vaudeville actor, sailed for the Orient with a three act. Others were his divorced wife and his present spouse.

Radio being touted as the best audience getter for theatre attendance. Held to be better than sheet music or discs for selling stage songs.

Keith office issued an order that bands from hotels must not use the hotel name in the billing. Too much free advertising.

Ringling Bros. appealed to ayor Curley, of Boston, for aid in getting a show lot. Old lot had been sold, and they could find no other pitch.

# EQUITYITES' SWINGO AUDITIONS ON 52D ST.

Oddest locale yet for auditioning legit neophytes is the new Footlights Club which Stanley Rayburn ushered in on 52nd street last Saturday (16). Legit sketches will be directed by Frank McCoy.

Rayburn rounds out the floor show, with Smokey Joe and his Hip Cats, John Beck, monologist, Grace Morgan, singer; Lee Tuck, m.c., and Madame La Duchesse.

## East St. Loo Robbery

St. Louis, pril 19.

The Gypsy Inn, an East St. Louis nitery, was held up at 4:30 a. m. Thursday (14) by three armed Negroes, who forced Mrs. Fay Sousa, three employees and several patrons into the kitchen while the cash register was looted.

As the stickup men fled with $50, one of the customers shot at them. One of the men cried out as if hit, Mrs. Sousa told cops.

## Chan Goldman's 77B

Fu Manchu Restaurant, Inc., Chinese eatery, operated by At Goldman, on West 49th street, New York, filed a petition in N. Y. federal court Saturday (16) to reorganize under 77B of the Bankruptcy Law.

Voluntary proceeding lists assets of $37,385 and liabilities at $31,051.

# Pennsy Names 4 Secret Agents To Probe Girls Mixing in Niteries

Philadelphi

Four secret agents were appointed by the State during the past week to check on mixing of gal entertainers in local niteries, according to Tom Kelly, biz agent of United Entertainers Assn., talent union.

Sleuths, disguised as paying guests, will go to a couple of spots a night, carefully surveying the situation. Then they will turn in their written observations. Subpoenas will be issued for operators on basis of sworn statements by the investigators. Latter need never appear.

Kelly has declared he will see that prosecutions are not only made for labor law violations, but offenses are also reported to the State Liquor Control Board. Mixing is also illegal under the booze act and licenses may be revoked.

Labor and Industry Department plans to compel nitery owners to post skeds on starting time for each show in dressing rooms. Then it will demand to know why gals are compelled to come in several hours before the shows start and remain several more hours after the last curtain.

## Shep Fields Okay; Due To Join Band April 28

Shep Fields, out of the hospital after an appendectomy, will get back into harness April 28 when his band opens a week's vaudate at the Memorial, Boston.

Orchestra leader was taken off the stage of the Lyric, Indianapolis, March 21 and rushed to hospital for an emergency operation. Band finished the week without Fields, but flock of subsequent stage appearances were canceled.

# N. Y. NITERIES' BUSINESS OFF

New York nitery picture has taken on a gloomier hue in the last couple of weeks. With the nice weather, it's bogged down considerably. Couple of spots presumably doing well are beginning to seek for solutions.

The Casa Manana is reported having lost its stride although still doing some volume trade. Complaint is that week night checks are not large enough, majority hanging around minimum. The Sunday night star fests keep the percentage up. A variety type show for the summer goes in May 1.

Paradise is still struggling with reorg and just getting under the tape, while the International Casino is undergoing its reorg and suffering slack along with the others.

The new Jack Dempsey's roadway Bar and Jim Braddock's chophouse have also cut in a shade on the others, although themselves no wow money-makers.

# Mitt-Reader's Suit Vs. Eddie Garr For 10% Is Discontinued

Psychic's suit for $35,000 against Eddie Garr, comedian, based on 10% of his earnings since 1929 has been discontinued 'without costs,' according to a stipulation filed Monday (18) in N. Y. supreme court. Action had been brought by Tala Lefurrat, star-gazer and lucky number expert, who claimed the comedian had promised to make her his personal agent and manager if her predictions made in 1929 of his ultimate success should prove true. She contended they had, but Garr reneged on his promise, she claimed.

Last week, when examined before trial of the action, Garr partially admitted making such a promise at the time Miss Lefurrat had read his future, but claimed he was only 'clowning.'

## Boland, Roberts Offered To Eastern Vaudeville

Mary Boland being offered to eastern vaude in a two-act with unbilled male partner .

Another filmite offered is Beverly Roberts. Curtis & Allen agency in N. Y. angling for both.

### illy's New Vaudfilmer

Philadelphi , April 19.

Lincoln, playing Yiddish stock, leased by Morris Wax for vaudfilm next season. House will be extensively renovated for unshuttering about Labor Day.

Formerly was operated for Negro trade by Sam Stiefel.

# 2 FRISCO CAFE OWNERS IN QUIZ ON WAGE DEBTS

San Francisco, April 19.

George D'Olivio and Louis Domanci, owners of the Kit Kat Club, a L. A. nitery, were haled into court by State Labor Commission attorney Charles Dreyfus over $600 salary arrears for entertainers.

Hearing, which has been put over while defendants scout up some assets, is on behalf of eight girls, Barbara Laurette, Marguerite Loris, Erma Austin, Jessie Crys l, Paula Jory, Dorothy Carter, ay Jordan and Claire Anderson.

If ERNEST O. C. LAMBART, last heard of in New York at Lambs Club, ill communicate ith Houseman & Co., Solicitors, of 6, New Court, Carey Street, London, iving full Christian names and names of brothers he will hear of somethi is advantage.

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in After Three-Year World Tour
CON COLLEANO
IS WEEK (APRIL 15)

# AFA Huddles with N. Y. Hotel Assn. On Cafe Pacts for Choruses, Acts

Harry Calkins, chief organizer of the American Federation of Actors, ith Campbell & Boland, attorneys for the Hotel Assn. of New York yesterday (Tuesday) to discuss shop contracts for New York hostelries. arks AFA's first step in , although AFA acts work various hotels around town minus agreements.

With spread of unionism in hotels, Assn. feels it ight as well reach some accord. AFA wants contracts covering choruses as well as acts, si ilar to its nitery agreements with 57 spots around town.

Matter ith the Paradise Restaurant is now in hands of the federal court since spot is operating under 77B. AFA has acts there but recently got chorus agreement, which is pending in the courts. Girls in the Cotton Club are also being negotiated for with management. Acts there are already AFA. American Music Hall signed a chorus agreement this week.

Of the 57 locations are included recently pacted niteries on lower east side, Queens and Brooklyn. Bronx has not yet been touched.

Fanchon & Marco has assembled some of the acts and girls of the last revue show at the Paradise nitery, N. Y., before the spot changed its policy six weeks ago, and will troupe them as a vaude unit.

Bert Frohman and Barto and ann will top the cast. A dance team and femme hoofer is being added while a line will also be used, and show labeled 'Paradise on Parade.' Unit has been set to open at Fay's, Philadelphia, April 29 for one week.

## American Troupes Motoring Canada Require Licenses

New law in effect in New Brunsick, Can., requires all traveling troupes to purchase the province's license plates for each vehicle used. Order was issued by the motor veicle branch of the N.B. government and affects American acts touring Canadian maritime provinces during summer months.

Over the summer it's estimated, about 30 Yank troupes hit Nova Scotia, Prince Edward Island, Cape Breton Island, Newfoundland and New runswick. They must pass through latter to get to any of the others and hence are nicked at the start. None of the others have any such regulation.

Many acts have been set for dates ithout knowledge of the various icks awaiting them. Province already has in effect a regulation demanding a $100 bond, plus another bond representing 33 1-3% valuation on equipment and is forcing switch to Canadian trucks when shows travel in American commercial vehicles.

## Freeport, N. Y., Vaude

Starting today (Wednesday), Century Circuit's Freeport theatre, Freeport, N. Y., will switch from straight films to vaudfilm policy, Wednesday to Friday, inclusive.

Stunt is a trial for Century chain through Brooklyn and Long Island.

### HURT IN CAR CRASH

St. Louis, April 19.

oyd Eckert, 21, a local nitery rummer, suffered possible fractures of the skull and spine last week when his automobile crashed into a telegraph pole in St. Louis County.

Eckert was on his way home from a cafe when the accident occurred. He was taken to the Park Lane Memorial Hospital, where his condition is reported as serious.

### i Costumers Huddle

Chicago, April 19.

Effect of the Federal Theatre Project on costuming firms will be taken up by the Chicago Costumers Assn. at its next meeting. Huddle will also deal with modernizing the association's constitution.

## EQUITY PRESSURE ON P. G. SMITH'S VAUDE TRY

Hollywood, April 19.

Paul Gerard Smith's Hollywood Hobohemians, a vaude bill of old timers, with Trixie Friganza topping the bill, ran into Equity trouble night the experiment opened. Smith told the time-checkers to move over as his bill was strictly co-op and was vaude till it made money. After that it might be called a revue at which time Equity could move in.

Bill was set down in the Professional Players theatre, a little sure-seater where Smith likes to spend the money he makes as a writer on the major lots. Most of it was smart stuff, tire, a word taboo around the studi , ith Smith acting as m.c., but acting.

Besides Miss Friganza, Pat O'Malley, James Kelso, Eddie Foley, Ruth Faber, Ole Oleson and Leah Latour in comedy turns. Bill was in for a week and ran a week.

## Texas Nitery Op Appeals to U. S. In Dope Violation

New Orleans, April 19.

Sam , Galveston, Texas, night club operator, under charges of having conspired with 87 others to violate the Federal anti-narcotic laws, appealed to the U. S. circuit court of appeals here Friday (15) from a decision of Federal Judge Whitfield Davidson in Houston, who had ordered Maceo to be taken to New York for trial.

Technically, Judge Davidson had dismissed a writ of habeas corpus, fought in the courts by Maceo, on the ground that he should be tried in the district in which he lived. He based his plea on a decision by Judge Wayne Borah in New Orleans, with respect to seven Orleanians, likewise included in the conspiracy indictments, in which Borah held that the Government had not produced sufficient evidence to warrant the court to compel the seven Orleanians to stand trial in New York.

In his plea for a reversal of Judge Davidson's ruling remanding Maceo to the custody of the U. S. marshal for transfer to New York, it was declared Judge Davidson's decision that the case was triable only in New York was erroneous.

## DURANTE NIXES $5,000 P.A. IN HUB FOR H'WOOD

Jimmy Durante returned to the Coast over the weekend after nixing a proffered vaudate at the Memorial, Boston. Reputed offer, to open tomorrow (Thursday) for a stanza, was $5,000.

Hurry-up trip back to Hollywood was to attend to some personal biz.

## Catholic Guild Feed, Lambs Show This Week

Broadway show business will go heavily social this weekend when the Lambs Gambol will be held Saturday (23) and the Catholic Actors Guild will honor George M. Cohan at dinner Sunday (24).

Events will be staged at the aldorf-Astoria and Astor hotels, respectively.

## Calvert's Coast Route

Los Angeles, April 19.

After a series of split weeks in Coast towns, Calvert the magician, with a troupe of 16 goes into the Geary theatre, San Francisco, ay 15, with a later engagement slated for Los Angeles.

Coast tour includes Santa Barbara, San Diego and Long Beach.

## Hartmans for Riviera; Sheila Barrett to Sail

London, April 12.

The Hartmans are due to go into Ben Marden's Riviera, N. Y. for eight weeks this summer, roviding the Versailles, N. Y. releases Sheila Barrett to sail May 4, to open for Henry Sherek in his new cabaret at the Dorchester hotel here. Otherwise, the present cabaret will be held over another week, with the Hartmans losing the Riviera date.

New cabaret at the Dorchester will, after four years, be minus the usual line of gals. Instead it will be straight vaudeville entertainment, and comprise, besides iss Barrett, Hollano and Hart, Cyril ichard and Hermione Beddeley.

## ALL-NEGRO UNIT SAILS TO S. A. DATES

First all-colored vaude unit to go from New York to South America sailed last Thursday (14). Labeled 'Harlem's Big Apple Revue,' show was built and is bei iloted by Clarence Robinson.

Troupe stops for four days at the Campo Amor theatre, Havana, next week. Then to Buenos Aires, where it opens at the Avenida May 10 for a guaranteed three months. B.A. theatre is a two-a-day.

Unit's cast includes Edward Matthews, baritone; 6 Rhythm Flashes, Dot and Dash, panto comic Johnny Hudgins, singers Ella May Waters and Velma Middleton, Connie McLean's 10-piece orchestra and a line of 12 girls.

Mary Shank booked the Argentina date.

## YOUNG, JACKSON TEAM AS VAUDE OPS IN N. Y.

Carl Young and Billy Jackson have taken over the Queensboro theatre, Elmhurst, N. Y., to operate on two-a-day, three days a week vaude. Will function as Inter-City Amusement Co.

House has been idle for several months, operating only one night weekly on rental to an Elmhurst church for bingo. On April 29, house will reopen with Gangler Bros. Circus on the stage and six acts of vaudeville, with pit crew. Following week, 12 acts, stage band, a line of girls and 15 amateurs.

## Nudie Divorce Litigant Heads 'Naturist Revue'

Detroit, April 19.

Victorious in halting divorce proceedings by her husband, Myron B. Lloyd, Jr., manager of the Oasis nitery here, who charged her with dancing almost nude at their wedding party, Zorine, nudist terper, was booked into the new Frontenac Casino spot here this week for indef engagement.

Cast of 25 hoofers and singers will assist in femme's new 'Naturist Revue.'

## THREE GIVEN $12,500 IN PHILLY AUTO DEATH

Philadelphi , ril 19.

arnie Clark, 29, Chicago nitery terper, was awarded $6,500 by the courts here Friday (15), as result of an auto accident last year which will keep her from ever dancing agai . Smashup, which occurred last March 14, caused death of Mrs. Clark's twin sister, Mrs. Marjorie Annon. Pair, billed as 'Jeannette Twins,' was returning from an upstate date.

Edward rady, 35, iladelphia nitery performer, was awarded $1,000 for injuries in the same accident, and Stafford J. Annon, 8, received $5,000 for the death of his mother.

## Setback to Phila. Flesh Under Sun. Laws; Films OK

Philadelphia, April 19.

Showing a film as a subterfuge for collecting admish to other events prohibited by Sunday 'blue laws' was nixed by Common Pleas court here last week. Judge Francis Shunk Brown upheld the conviction of Frank D. McDonald, Jr., manager of the Philly Home Show, for violating Sabbath law couple months ago.

McDonald, forbidden to run the show at Convention Hall on Sunday, put in a motion picture about home building. He then charged the regular admish and to protests of cops, replied that the fee was for viewing the film, not the ibits. Pictures are legal here on Sundays. Donald said that if after viewing the flick, patrons wanted to stroll through the rest of the exhibit, they could do that free.

Suit was in nature of a test case and will possibly be pressed to higher court.

## L. A. PAR DROPS VAUDE IN UNION SNARL; 70 OUT

Los Angeles, April 19.

Failing to induce stagehands local to consent to adjustment of overtime pay basis, Paramount theatre is dropping its stage shows and going straight dual bill, effective today (19).

Musicians offered to cooperate with house management in adjusting scales but stagehands refused. Close to 70 persons have been thrown out of work by the move.

## 2 Agent Assns.; One 100% Legit, The Other for Variety Talent

Idea of one overall agent organization has been abandoned. Instead there will be two distinct and separate groups, one the Equity legit percenters, and the other comprised of general agents of niteries, vaude, private clubs, etc. Issue was decided this week, and each set to retain its own identity, although working together for common good.

Legit agents held another meeting Monday night (18) at office of Lou Randell. Boys are undecided to resume with old Equity charter or start from scratch. Will be definitely settled next Monday night (25).

There is no schism, but boys not having much common ground decided to work as individual units. Vauders and nitery peddlers meet Friday afternoon at Edison hotel for two hours to discuss organization. They have not yet reached the stage of the legiters.

rtainment Managers Association, clubbers, turned down License Commissioner Paul Moss' request that they take out licenses to get the hall rolling and as a good-will gesture. Paying salaries for working acts, and not taking a commission, they are not obliged to do so, and according to official sources told the commissioner accordingly. They are burned at the runaround he has administered them during the past couple of years, specially on legislation attempts in which they were supposed to participate but were always ignored. However, they have asked Moss for cooperation and have requested a gander at his proportional representative municipal bill due in the fall. Not known what Moss' reply to this was.

## Vaude Ops Keeping Closer Watch On Bookings; Tour Contracts Out Since Acts Now Must Show First

As chai its have shriveled along with playing time nationally, the method of booki has changed, too. Gradual thou is change was, it's becoming almost complete. Today, the house operator or manager keeps in closer contact with the booker. In many instances there is a direct consultation before every show, or even act, is set.

Gone is the era when acts were inked in for whole tours without the managers being queried. As selling flesh became tougher in the face of opposition from radio and films, vaude's remainder became aware that defter selection of turns and layout of bills was necessary for survival. That brought the men-on-the-scene into the booking picture. They had to be consulted, for they had the thumb on the local pulse and knew better than anyone what would go, or would flop, in their areas. They knew from past experience and knowledge of their patron's tastes. It's a return to the system prevailing before the formation of the United Booking Office.

### Divisional Aides Consulted

As the RKO circuit stands today, the divisional managers are consulted and often make the final decision on what shows and acts will play their spots. RKO booker Bill Howard keeps in contact with Nat Holt, Ohio circuit chief, on what goes into Cleveland and Columbus. Charley Koerner sits in for Boston and Lou Goldberg for Schenectady and Albany. Each makes regular New York visits to catch acts and confer.

Harry Arthur, town manager in St. Louis for Fanchon & Marco, does the same for the Fox there. Carter Barron, Loew's southern division sultan, speaks for the Capitol, Washington, D. C., and decides when chain's two now-and-thenners in Virginia will play shows and what they'll be. Johnny Payette has a say in the policy and bookings at Warner's Earle in the Capital.

Paramount still books from its office, with New York doing the setting, and some smaller turns getting placed through the Chicago office.

Among the indie vaude operators, there isn't one that doesn't sit down with the booker in New York to see what's being pencilled in. Izzy Rappaport, of the Hippodrome, Baltimore, spends two days weekly in the big burg. Eddie Sherman books as well as operates Fay's, Philadelphia. Ditto for Charley Olson, of the Lyric, Indianapolis, and Dave Idzal of the Fox, Detroit. All the houses booked by the indie offices of A. and B. Dow and Arthur Fisher are in on what is being set for their sites.

### Lamp Shows

The now-and-thenners travel these days to lamp shows before they stamp approval on their being booked for their theatres. In past years, they took them on from hearsay, or on the vaguest reports as to their merits and drawing powers. This system of careful consideration has lessened the number of disastrous b.o. weeks. Houses won't book them until they've proved their value, which is one reason why few shows go out on a tour with a long route set at the start.

The system into which booking has evolved frequently is criticized by producers and acts. Beef is that there's no use putting together a show under considerable expense, when they cannot get much guaranteed time before the show is on the boards, where it can be ogled. Answer from the other side is that the present system was arrived at only through necessity. An added answer is that if the old system had endured, there might be now only half the theatres still clinging to vaude as there were then.

## Damage Causes Delay In N. Y. Nitery Opening

Accidental breakage of elaborate mirrors delayed the preem of the Elbow Room, new East 52d street restaurant, until May 1. This will be a closed-door, membership eatery, patterned after the '21' motif, but slated to be more restricted.

Joe Hennessey, who managed the catering service at Alec Woollcott's Vermont island retreat, ill be general factotum.

## STATE, N. Y.

*Rudy Vallee's Orch, with Gentlemen Songsters (4), Red Stanley, Colleen Collins, Edna Strong, Chic Kennedy, Three Robins, Pansy the Horse, with Florence Mayo (3); 'Goldwyn Follies' (UA).*

It's a cinch b.o. with a surefire show in Rudy Vallee and 'Goldwyn Follies' (UA). Regulars, though, will miss Ruby Zwerling's house orchestra, which is vacationing.

Vallee, m.c.'s with everything in full stage. There are also special drapes, and toned lighting. Band opens under a scrim, Vallee getting special staging effects.

He and band, though, satisfy. His geniality is just apropos for the sophomoric requisite. Specialties by others, however, bog the Vallee standard.

Too much mimicry. Vallee, therefore, is compelled to drag in the old memento book for a bright and sentimental clincher. That's when his crew marches into 'Stein Song' and 'Aluette.'

Specialty performers are li ited. Red Stanley, femme takeoff, with bonnet, but otherwise dressed as a man, has bad spotting. Femme mimicry needs toning since it's a bit too realistic. Colleen Collins, little girl in pink ruffles, simulates office boy, who stole petty cash so his mom could get permanent wave. She depends on a mike; and when caught exception only courteous. The Three Robbins, crooners, one at the piano, render an emotional demonstration against film trailers. The boys are incoherent and shrill. Act isn't enough to figure their future, however.

There's also Chic Kennedy, with the rainbow makeup, her specialty being a takeoff on Hollywood stars. Run-of-the-mill. Edna Strong, lithe and snappy, in schoolgirl costume of sombre hue, taps, rhumbas and shags, but none is standout. Vallee's personality bolsters the assistant acts.

Gentlemen Songsters (4) are a harmony atmosphere for Vallee, the band and Red Stanley. Okay, but not stimulating. Pansy, prop gag horse, should eliminate the rough, ticklish gesture, or in time it'll kill the act. Otherwise, the act stands up well.

*Shan.*

## LOEW'S, MONTREAL

*Montreal, April 17.*

*Eddie Sanborn's house orch, Chorus (16), George Trainer, Red Skelton, Mickey Feeley, Tommy Mack, Enoch Light's orch, Charlie Masters, Edna Stilwell; 'Hawaii Calls' (RKO).*

Red Skelton, a favorite since first appearance here two years ago, is back with new material currently and a handy collection of acts. One, Charlie Masters, freak drummer, almost steals the show. Outside of this, Skelton is virtually the whole review, being on the stage for about 45 of the 60-minute run. He m.c.'s wisecracks, tells stories and puts on three sketches, to the roar of laughter and applause from the fans. Week-end biz big.

Line of 16 routines throughout show. In one ballroom scene, accompanied by combined house and Enoch Light orchestras, got a call. Georgie Trainer, tap dancer, opening act, is fair entertainment. First entry of Skelton then lets loose crowd in a roar of welcome, that goes on with hardly a break thereafter. He's one of the hardest workers ever seen here. Mickey Feeley, backed by line behind gauze curtain, mikes a couple of songs and is well received. Tommy ack, with stooge in box and Skelton for assists, earns big plaudits in knockabout. Enoch Light's orchestra, on stage with individual soloists, also garners applause. Trainer for another tap and Feeley, dressed as cowboy, returns for prairie songs. Skelton then intros drummer, Charlie Masters. Clever act, with sticks tapping on floor, chairs, baldie's head in front row, walls, upside down and on back and juggling the sticks as he taps gets him plenty calls. Joe Sodja, banjoist and guitarist, also goes over big.

Skelton back with Edna Stilwell as foil to close show in a sketch, 'Embarrassing Moments,' another wow. All acts back for finale and Skelton round to exit shake-handing the crowd.

*Lane.*

## LYRIC, INDPLS.

*Indianapolis, April 17.*

*Wayne King's Orch, King Choristers, Gower & Jeanne, Robert Neller, Ames & Arno (9); 'Accidents Will Happen' (WB).*

Breaking in a new show, Wayne King and cast turn in a smooth 60 minutes. Set is attractive skyscraper scene, effectively lighted from special foots ing Choristers, six boys and three girls, occupy double deck in back of bandstand.

Show opens with 'Waltz You Saved for Me,' with strings working before a scrim. King comes on and the orchestra plays 'Blue Danube Waltz.' When he tries to announce another waltz number there's mutiny in the band, and the boys swing 'Night Ride,' ich wins an ovation. King is featured on the sax then in 'Roses of Picardy,' and Choristers make their first appearance. Maestro is wise to establish the band with more than 20 minutes of music before presenting any act.

Gower and Jeanne come on first, youthful ballroom team, with plenty of new steps. They score solidly. Followed by Bob Neller, ventriloquist, who works ith a dummy called 'Dizzy Dugan.' Neller's work with the woodpile in polished. He gets plenty of duke pounding with a double whistle and yodel. Finishes with King as dummy, the band leader mouthing a poem. Good for plenty of laughs.

Orchestra spotted next in a medley of old tunes, which has the audience beating a salvo. Included are 'Wabash Blues,' 'I Love You Truly,' 'Stardust' and 'Do You Ever Think of Me?' Followed by Ames and Arno, knockout comedy dancers. Gal does a lot of mugging in addition to her comedy falls. Both have to come back for an extra trick.

King Choristers featured next on 'The Rosary,' a natural for Easter week. Group fits well into King's style. Orchestra follows with 'Josephine.' Band and Choristers unite to finish on a Dixieland tune in semi-symphonic manner.

House has been running in the red for nine weeks of band and vaude shows but standees present at last show Friday (15), breaking down the seasonal low gross expectations and promising a big week.

*Kiley.*

## HIPP, BALTO

*Baltimore, April 17.*

*Clyde McCoy's Orchestra, Wayne Grey, Abbott Costello, Trado Twins; Three Bennett Sisters; 'Joy of Living' (RKO).*

With only eight weeks of network radio experience, Abbott and Costello, back here after an appearance in a unit a few months ago. Walk on to a good reception and have to beg off. Using the same material as heretofore in the same showmanly manner but given the advantages and publicity of a radio buildup, the act merits and gets headline billing with Clyde McCoy's orchestra. Together they form the basis of a strong, entertaining layout.

McCoy opens solidly to offstage rendition of his 'Sugar Blues' theme. Announcing throughout in straightforward manner, he introduces first 'Tear It Down,' an original swing number, and a recent recording. With McCoy giving out on the muted trumpet, band achieves balance and rhythm, sans blare. Two vocals by Wayne Grey, band's vocalist, 'Thanks for the Memories' and 'You Go to My Head' nicely received and well spotted.

The Trado Twins, males, open with some fair gagging, getting some laughs, and finishing strong with the two-high song and dance. Bennett Sisters harmonize 'Wanna Make Rhythm,' featuring toy trumpets, which McCoy plays for novel, effective sock.

Abbott and Costello skillfully time and build their chatter. Vocal by Grey, 'Gypsy in My Soul' and a military hoof session by the Bennetts precedes return of Abbott and Costello, this time in a modernized version of the old three-shell bit with lemons. A laugh producer as presented, with the Trados helping.

McCoy finishes strong with 'Sugar Blues' trumpeting and 'When Day Is Done,' topped off with an informal, not-too-noisy jam session, good for several solid curtains. Entire doings uses 46 minutes, but good entertainment from the bell, and entirely satisfactory to the customers.

*Burm.*

## STATE-LAKE, CHI

*Chicago, April 17.*

*Joyce & Billy Severin, Frances McCoy, Dave Seed & Co., Balabanow Five, Chester Morris, Sweethearts; 'International Settlement' (20th).*

Best bet is Chester orris (New Acts). He's split his act into two sections, first being a neat, novel idea. Based on orris' assumption that in the future picture names will be booked direct into homes for p.a.'s instead of in theatres. His routine is built on an imaginary booking of himself into a Peoria home. Good, clever stuff, final bit being a magic stunt which he carries off well. It all smacks home with the audi nce.

Also over well when caught was the Balabanow accordion act. Makes swell appearance as usual and paces smartly through push-box pumping and specialty dancing. Joyce and Billy Severin open icely with clean-cut dancing, doing especially well on taps and the shag.

Frances McCoy, warbler, is something of a problem to an audience, since most doesn't know just what she's trying to do. She hasn't any apparent concept of pace or rhythm. Hops all over the place and never settles down. Specializes in before-and-after versions of old-time songs. Dave Seed and Co. has practically no change in its comedy routine. Seed holds up entire act.

Business good first show Saturday (16).

*Gold.*

## PARAMOUNT, N. Y.

*Tommy Dorsey's Orch (14), Grace & Ray McDonald, Jack Leonard, Edythe Wright, Ben Blue & Co. (3); 'Her Jungle Love' (Par), reviewed in* VARIETY *March 23.*

The turnstile tug is chiefly being exerted by Tommy Dorsey's orchestra, which seems to be outstripping Dorothy Lamour's glamor as the star of the Technicolor film.

Dorsey is now more jive than normally. A sweet-swing aggregation, it was probably thought a bit more blare and jitterbug-juice should be dispensed in view of the Par's patrons showing of late that they liked the wilder swing. When caught there was no dancing in aisles, as at an earlier performance, but the band had 'em beating time anyway.

There's a new drummer, Maurice Purtill, in the outfit. He's of the acrobatic performing type, which brought Gene Krupa to attention when he was with Benny Goodman. Spotted prominently; it's probably Dorsey's idea to front his skin-pounder. Boy is very good and looks like one of the coming idols of the jive addicts.

Band tenor, Jack Leonard, is good at piping between the bandboys' licks on the special Dorsey arrangements.

Edythe Wright, Dorsey's swingstress, had only two numbers at show sighted, 'Comin' Through Rye' in swing, and 'Dipsy Doodle.' She should have been on longer; might be wise to cut one of Leonard's songs for her. Grace and Ray McDonald, hoofers, are reviewed in New Acts.

Ben Blue closes excellently. Still the same old Blue vaude turn in the main. Still the same old getup—baggy clerical cloth suit, too-small brown derby and loose red tie.

Opens with his dime-dancehall bit, which always scores and always has that weak, somewhat vulgar blackout. Comic could get a smart line for the windup, which would prove much more effective. Incidentally, Blue announces his aged skit as being a scene from his forthcoming film 'College Swing' (Par) which he plays with Martha Raye.

Following, the zany gets across with the burlesqued minuet dance he did with Burns and Allen two years ago in 'College Holiday' (Par). It's a shade too prolonged; gets good straighting from the unbilled femme and man who assisted in the foregoing bit.

Show runs 49 minutes. Good biz at last performance o ning (Wed.) night.

*Bert.*

## STRAND, BROOKLYN

*Jay & Lou Seiler, ite, Jackie Cooper, Ross . & June Mann, Jack, Earl , Ted King's House Orch (10); ' the Headlines' (Col).*

Whole show has strength, unity and variety. Ted King's house orchestra (10) on the rostrum for the presentation form the house uses on its weekend shows, opens, an improvement over the former idea of slipping the band routine midway in the show where it repeatedly broke the flow and snarled the pace.

First out is Jay and Lou Seiler. Aside from straight tapping at start, and the swell novelty barrel-stave stomping and 'skiing,' the turn is now doing a smart, new novelty, a fencing routine. Boys brandish foils and leaven the routine with just the needed dash of humorous byplay.

Olive White, in deuce, is still finding herself and is worthwhile in view of her potentialities. She's ditched the guitar and now concentrates for novelty on a clarinet and gut-grating a fiddle. But she shouldn't let the instrumentalizing consume so many minutes. At least not with her good pipes and song-selling ability. Fine on appearance and that chartreuse gown worn when caught evinces taste.

Jackie Cooper (New Act) next and in the next-to-shut is Ross Wyse, Jr., with his clowning acrobatic dancing. Still needs to lustre up his patter, which doesn't par his mugging, falls and hoofing. Physical capering over nicely, with no mean assistance from June Mann, aptly contrasting and very able femme straight. Jack, Earl and Betty, standard and always strong skaters, closed. That fat woman plant gag still ga-ga's them.

Probably couldn't expect any more than the skimpy biz at the final frolic opening (Good Friday) night in the City of Churches.

*ert.*

## Roxy, Salt Lake City

*Salt Lake City, April 17.*

*More & Shy, Langdon Sisters, Rita Gay, Cornish & Dean, Joe & Eddie Dayton, Lucille Young, Bill & Pat Parish, Helen Sumner, Bill Floor's house orch; 'The Outer Case,' 'The Man in the Mirror.'*

'Mixed Nuts' revue lacks pseudo lunacy and is punchless. More and Shy, headline, but gas-lit vintage, snail-paced banter too much for the town's lone vaudfilmer. Act is composed of a 465-pound man-mountain and a 65-pound midget, the lil' feller's ribbing of his avoidupois partner highlighting the 10-minute stint. Pair engage in terping, singing to little avail.

Helen Sumner, chirpterper, ves the show a little with neat Truckin', indigo warbling and a captivating smile.

Bill r's house band has five addition from the unit. Femme black-and-white whanger, cornetist and three men strengthen give-out on 'Night and Day.'

Langdon sisters, in effective abbreviated costumes, offer standard clog steps to merit a call. Rita Gaye, attractive despite her bean-stalk height, is the brunt of some mild clothes removing during her singing chores by a couple of male wags. Gal has a pleasing contralto, and if she pencils out the skirt disrobing gag, is potential material for class houses.

Lucille Young's groanbox efforts are well received and she encores with a lush pop tune.

Unbilled girl does a neat cornet solo, followed by Cornish and Dean, mixed team. Male toots a sax while clogging; and roller skates with a fiddle. Gal majors in terping.

Joe and Eddie Dayton are on for more than 10 minutes, disclosing humorless slapstickery and futile attempts at harmonicas and guitars. Bill and Pat Parish please instrumentally to wind up listless 52-minute layout.

*Guss.*

## ORPHEUM, MPLS.

*Minneapolis, April 17.*

*Eddy Duchin's Orch (13), Patricia Norman, Ghezzis (2), Stanley Worth, Vic Hyde, Lathrop Bros. (2) & Virginia Lee; 'Women Are Like That' (WB).*

ing his second visit to Minneapolis, Eddy Duchin's orchestra, aided by swell acts, again hits the bull's eye. Duchin has his orchestra and two singers, one a member of the orchestra, which would be enough, but the theatre has added three corking acts. Net result spells class.

Most of the performers sport evening attire in keeping with the Duchin dignity. He was given a big welcome opening day (15).

After an agreeable medley of new pops by the orchestra, with Duchin's pianoing featured, Patricia Norman, his girl singer, clicks big in two comedy numbers. Encores in a serious vein. The two Ghezzis brothers do the Big Apple upside down for a sock finish after some good acroing.

Stanley Worth, from the orchestra, sings and whistles pleasingly. Then Duchin and the boys go into a hot arrangement of the 'St. Louis Blues.' Vic Hyde, the one-man band, is okay and fits in nicely. Hyde, a tall, personable youth in tuxedo, works at a breathless pace with his numerous instruments and mixes in some effective comedy. His imitations of various popular stage and radio bands are winners, but he lands even more solidly with a tap dance while playing two cornets. For his big finish, he gets hot on three trumpets at one time.

Duchin incorporates audience selections into a medley for a snappy piano performance. The two Lathrop Bros., and Virginia Lee, all eyefuls in evening dress, get over, too, with their taps. A bangup band arrangement of 'Stormy River,' winds up the show and leaves the customers begging for more.

*Rees.*

## Embassy Newsreel, N. Y.

Martial flavored clips comprise considerable of the entire current Embassy crop. However, along with most of the remainder, they're not very impressive. There's little in new twists, even with the military stuff, war bird maneuvering, wave-riding fleets, etc., taking up much space. Metro is tops, with Fox and Pathe following.

Metro's Spanish front scenes, with sound of bullets whizzing through the air, offers more thrills.

Interesting in the war portion are scenic nifties of the Italian Tyrol patrols (Fox); gunnery drilling of Czech kids (Par), new angles to England's subterranean gas defenses and use of cables for trucks crossing chasms aided by new wheel (Pathe). U's mugging of Soviet artillery in snow-colored camouflage rigging (shown at the Cameo, N. Y., two weeks ago) also rate.

Richard Whitney entering bastile (M-G), ship's rescue in North Sea are good (M-G), the wailing wall in Jerusalem (M-G), wrecking of a giant chimney in Chicago (Pathe), giant onion festival (U), Lew Lehr's comicapers, with rubber bloomer water supports (Fox) and Mrs. F. D. R. modeling Easter glad rags, interesting, if unexciting.

Among other worthies are etro's shellboat race on a very rough Thames, recently arrived refugees on Ellis Island, silhouetted against the skyline (Pathe), some Hollywood stunt fliers (Par) and an amusing grunter session (U). Pathe's telescopic camera, reindeer roundup in Lapland (Fox), night smelt fishing in Michigan (Fox), oil well drilling (Fox), New Zealand's scenery and snorts (Fox), boy scouts hunting for kidnapped Peter Levine in Westchester, N. Y. (Pathe), and another Lehr description of Jack Del Rio's teeth weight-lifting are mild. Rest of the bill customary fashions, personalities and light weight sports.

*Hurl.*

## WINTERGARTEN

### (BERLIN)

*Berlin, April 10.*

*Dita Gerard Ballet, 2 Gurumlays, Tony Manns, Zolnay & Plee, 3 Nagels, Louis & Emmy, Chris Charlton, Carn Bernhard, Eva Trebillos, Margarete Slezak, 2 Reverhos.*

Wintergarten, with a lightweight payroll, is skedded for a flourishing intake. When caught the house was packed, even though a rainy Monday.

Opening is the Dita Gerard ballet, in a peasant polka that is no great shakes choreographically. But the girls are very young, have good gams, costumes are bright, which make it easy to take. In the deuce are the two Gurumlays, man and frau cyclists, in the usual routine stuff, but with plenty pep. Tony Manns whistles a couple of okay tunes but she hasn't the remotest idea how to sell her stuff or wear her duds. The ether is her only hope. Girls are on again in a black and white symphony that's pretty brutal in spite of good costumes. Swing a la Spanish is just too much for their understanding—and th audience's, too.

Zolnay and Plee, mixed duo, fill the next niche with twirls, fast splits and hot Russian floor work. Gerard line goes arty with gigantic balloons, switches from classical to jazz that might have gotten somewhere but for the balloon handicap. The Three Nagels offer well speeded acrobatics. Older chap works on floor with legs perpendicular and juggles his partners with swell nonchalance and precision on the balls of his feet into head and hand stands, as well as belly bumpers. A nifty is when one boy manages a double somersault, which he takes standing on only one of his partner's feet. First bracket closes with Louis, the clown, and his femme foil, Emmy. His rig is really funny, musicking is on the level and he draws laughs constantly with hi mouth antics. 'Il Trovatore' duet on concertina and clarinet gets plenty of palm smacking and he begs off with 'Carmen.' Best clown seen at this house in some time.

Chris Charlton, the English magician, opens the second half with hokum that goes over dandy. He makes a brave attempt to put over some gags in German but they fall short due to the accent. He does the suspended paper trick, makes a woman 'disappear' in thin air and 'decapitates' another. Well received. Carl Bernhard, Bavarian single, cracks a few jokes about his trip to the Paris exposition with the ball and chain, does an indigo chirp and is off. Eva Trebillos and partner have a couple of good stunts on the suspended perch. She, horizontal, holds onto brass ring with the dental works while the guy hangs onto ring with only one foot. Both of them then swing to beat the band.

Margarete Slezak, daughter of baritone Leo Slezak, does a few Viennese songs and, more because of the choice of material than the pipes, she goes to town. The ballet, in its last number, clicks in a Viennese number done to Mozart. In eyeful white satin costumes and excellent lighting, effect is of porcelain statues. Big hand.

The two Reverhos, with tight rope work, finish. They have some good juggling and balancing stunts. One chap on the wire in a one-hand stand has a lamp on the back of his head, a spinning plate in his mouth with feet and free hand charged with parasols. Music is all American and up-to-date and helps along the smart tempo.

## EARLE, PHILLY

*hiladelphia, April 17.*

*Glen Gray's Orch, Kenny Sargent, Pee-Wee Hunt, Gene Sheldon, Mildred Law, Ben Dova, Sunny Thomas & Kay Coughlin, Lou Schrader's house orch; 'Island in the Sky' (20th).*

With exception of final turn, pantomime act by Gene Sheldon, entire Earle show this stanza is rather unimpressive, lacking adequate preparation. Run ing under 50 minutes, it's even 10 minutes shorter than usual presentations here. ay be excused perhaps by recent managerial trouble at house due to death two weeks ago of Manager Herman Whitman.

Glen Gray's Casa Loma orchestra still adequate, but has followed the tide to swing, making it drop in distinction. And if there's any stuff to strut it hardly gets the chance. Acts are brought on quickly, and except for two short bits, band is nothing more than background. Something good and novel by the aggregation between acts could pull show out of mediocrity.

Sheldon first appears with a banjo pantomime and playing of the instrument socking. Rest of the act is in nature of a phony encore, Sheldon trying to thank aud for hand, but unable to get a word out. Finishes with gal, who tries to help him out, and a nifty bit of imaginary sewing up of his fingers, which sends him off with heavy salvos.

Unbilled curtain-upping terp turn by coupla kids, Sunny Thomas an Kay Coughlin, also strong. Pair does wild, modern collegiate ballroom hoofing. Youthful, appealing and col-

(Continued on page 45)

# Unit Reviews

## HARLEM HIT PARADE

**(COLUMBIA, ALLIANCE, O.)**

Alliance, O., April 17.
*Erskine Hawkins' Orch, Harold Thomas, Foster Johnson, Baby Hines, Stepin Fetchit & Johnson Gadit; 'Wise Girl' (RKO).*

Typical colored entertainment, fast paced, but better than the average sepia troupe, with Stepin Fetchit dominating. Erskine Hawkins' orchestra, however, runs him a close race for applause honors. Unit due soon to swing through the south, with the foldup set tentatively for May 15 when Fetchit returns to Hollywood picture work.

Fetchit is on less than 15 minutes but keeps his audience well amused with his drawl and with a stooge puts across his lazy bones pantomine.

Hawkins, who plays a hot trumpet, has a talented lot of musicians. They jam through half the show, dispensing mostly pops, with several of the boys stepping out for specialties. His piano player and drummer are excellent. 'Peckin' about the best in his repertoire here.

Only four others in the troupe, besides Fetchit and the band. Baby Hines sings blues well and executes some fancy steps despite her more than 200 pounds. Foster Johnson's tap is good entertainment. Harold Thomas, who was recently on the Rudy Vallee radio hour, does a difficult, fast dance routine. Johnson and Gadit make their entrance as a ballroom dancing team, but soon dispell that illusion when they turn to good comedy acrobatic dancing, which brings plenty of applause. *Mack.*

## French Follies of 1938

**(KEITH'S BOSTON)**

*Boston, April 17.*
*Count Berni Vici's Transatlantic Swingettes, Wally Brown & Annette Ames, John Paul Jones, Doris Dupont, Gene Gory & Roberta, Dick & Dot Remy, Adye Alyn Dore, Easter & Hazelton, Lee Broyde; Henry Kalis' house orch; 'Midnight Intruder' (U).*

There's enough production and entertainment in this unit to frame two shows. After Wally Brown, m.c., chatters a comic intro, spiced with tab samples of fan, bubble and strip tease stuff by ladies of the ensemble, a curtain flies, unveiling full stage, the organ, harpist and Count Berni Vici's girl band moving out from under an auxiliary stage. From then on its rapid-fire stuff.

Dick Remy, equilibri , and his partner, Dot Remy, acro roller skater, click. Easter and Hazelton, adagio team, do all right in an American Indian number, opening with a dive by the girl from the high platform to the arms of her partner.

Gory and Roberta's corny musical turn features screwy instruments and hokum. John Paul Jones baritones 'Day Is Done' capably, with the aid of scenic sunset and other pastoral props.

Brown and Ames, next-to-close, get lotsa laughs with their comedy, which flits in and out of the burley department. Diminutive Miss Ames is a concentrated pint of pep in her feed lines and solo tapping. *Fox.*

## Buck and Bubbles Unit

**(RKO BOSTON, BOSTON)**

*Boston, April 10.*
*Buck & Bubbles, Jigsaw Jackson, Smiles & Smiles, Alice Harris's orch, Henry Kalis' house orch; 'Condemned Women' (RKO).*

Bubbles is now a band leader and Buck a featured pianist in their new all-colored unit making its debut here. Three other acts and a good band, with featured soloists, make up a company that will doubtless improve. Comic duo takes the next-to-close spot for its well-established turn, which is trimmed down a bit as to time. Each takes a solo spot. A little more Buck-Bubble comedy near the front of the show would help.

To show off the band there's an introductory number spotting the various sections. Numbers, well arranged, are 'Bei Mir' and 'Lady Be Good.' Bubbles also vocals 'Ida.' Male member of Smiles and Smiles uses 'Waiting for the Sunrise' for a solo tap, so there's little new in the musical background of the new unit.

Alice Harris, featured soloist, brings it up to date, however, with 'Love the Life I Live' and 'Sweetheart.' Miss Harris has a sweet voice, pert personality and adds much to the flavor of the unit. When caught, they were giving her too much volume on the p.a.

Jigsaw Jackson, double-jointed acro tapper, gets a smart hand for his very grotesque turn, done mostly in the prone. Smiles and Smiles have a fair fast ballroom number and a better hot rhumba.

Henry Kalis' house orchestra also helps, playing a very smartly arranged medley of Spanish numbers. *Fox.*

## FRISCO FOLLIES

**(ORIENTAL, CHICAGO)**

*Chicago, April 17.*
*Toy & Wing, Ming & Chan, Shanghai Wing Family, Alfred Laitel, Kimloo Sisters (4), Joe Wong's Orch; 'College Swing' (Par).*

This unit, known first as 'Young China on Parade' and then 'Chinese Follies,' is good novelty that figures to satisfy audiences generally.

It's a band show, with the acts working in two or one. Joe Wong m.c.'s, swings the baton and also sings, none well. But the acts themselves are solid enough. Opening is the Shanghai Wing Family, standard Chinese juggling and balancing act. Fast moving and solid anywhere.

Four Kimloo Sisters do everything also. Work as line for start of turn and then back throughout the unit in specialties, one doing toe routine, another a tap, and finally one with a pair of swing pipes. All okay.

Ming and Chan, comedians, try hard, but could use brighter material. Ming, however, manages to get over on the accordion. Alfred Laitel's standard impersonation of a dog still okay. He's Occidental.

Best bet is dance team of Toy and Wing, youthful, good-looking couple, who have style and class, and come through with tap and ballroom work of high calibre. Girl tops it off with some excellent toe work.

Swing orchestra all Chinese, best being its impression of Benny Goodman's aggregation.

Business okay second day (16).

# New Acts

**JACKIE COOPER**
**Variety**
**10 Mins.; Band Set**
**Strand, Brooklyn**

This is the third vaude expedition for the boy film actor. And the best by far. Cooper is adolescent now, 16, and big and beefy for his age. Whereas on previous personals he appeared ill-at-ease, he's now adapted himself to the medium. That brings to the fore his personality, which was often clouded through nervousness before.

It's an oke act now. He opens with some passable patter, working up to the point where a trap-drum set is shoved onstage and Cooper sits down and throttles the tubs with a reasonably practiced hand. He then works around to doing an elementary tap dance. Talk all the way is good, not in a puff-chested vein, but avoiding that phoney meekness, too.

Windup has him doing some lines from the jail scene he did with Wallace Beery in the film 'The Champ' (MG). Just brief enough, and punchy enough.

This is rather a late catching of the Cooper act. He's been doing plenty oke on a swing of vaude houses around the east. *Bert.*

**CHESTER MORRIS**
**Talk and Magic**
**15 Mins.; One**
**State-Lake, Chicago**

Surefire personal appearance for entertainment in practically any theatre anywhere. Picture name who gets friendly with an audience and then comes through with good value.

Morris has act divided into two sections. First shows what could happen if picture names were booked for personal appearances right in peoples' homes, so that actors would go to see the public, rather than the people coming to theatre to see the names. Makes for good comedy as Morris monologs talk with Mrs. Follansbee, plays with baby, tangles with the dog and listens to raves about other names, and finally bows out when accused that he isn't the Robert Taylor they ordered. Well, says Morris, Taylor wasn't able to come tonight, so they sent me. Pie for any audience.

Second half of the act Morris devotes to magic which consists of taking various items, mostly squares of silk out of a Chinese box. It's okay stuff and handled in professional manner.

In Morris the theatres can find a Coast name who comes to vaude prepared to do a variety act and to entertain the audience. *Gold.*

**RAY and GRACE McDONALD**
**Singing, Dancing**
**6 Mins.; Band Set**
**Paramount, N. Y.**

Very attractive brother-and-sister act which scored last season in the legit revue, 'Babes in Arms.' Plenty smart for vaude on ability and appearance, and prime for suave cafe work or legit musicomedy.

Open dueting 'Natural Thing to Do' in oke voice and then break into nice brand of unison hoofing. Follow with precision tap to 'Tea for Two' and wind up with fast footwork to 'Delovely.' Routines show that they have been painstakingly and thoughtfully worked out. Pair par each other's pedal accomplishments and are aces on spins and breaks. Got looks, too. *Bert.*

# Burlesk Reviews

## TRIBORO, N. Y.

As the Gotham, this house started all of burley's troubles when it mislaid the soap and water last spring. Under the aegis of Harry Brock and Harry Palmer, newcomers to beef biz (Abe Minsky was former enstripreneur), it now has a clean slate. First offering is a good investment as long as the present show pace and the Paul Moss standards are maintained.

It's the nearest to burley since the old days. Lack of names is made up by good talent and production, for which purse strings appear to have been untied. Production includes trick and subdued lighting, better than average music and songs, good looking, hard working chorus of 16, and good costuming. Outstanding production number is the opening, 'Pretty Girl,' with variations from norm. Eva Collins' glad rags and singing of Murray Green and Elsa Lang are okay, though latter pair sometimes go off key.

Skinning is kept to minimum without discouraging the longshoremen. Jane Dobbins, Dolores Leland, Joy St. Clair and Zonia Du Val are the strippers. Miss Dobbins returned from Europe about a year ago after a session at the Alcazar, Paris. She has improved her dancing and costuming. Performs always with a dance routine, and is easily the sexiest of the lot.

Miss Leland also doubles into specialties. Works with chorus in Spanish number and sing's 'Got No Romance,' slightly blue. Three appearances in all with speedy exits on cloth dropping. Miss St. Clair's singing of 'New Way to Go to Town' and two parings also quickie. Gets encores but only one on each turn to conform with managerial instruction to avoid runs-in with bluenoses or bluecoats.

Miss Du Val, redheaded, and with a nice talky-singing voice, is a winner with her educated style. Actually revealing less then her sisters in strip, she suggests more. Does a 'Sunday Down in Caroline' with a Southern accent from Brooklyn, and 'Please Don't Be That Way.' Tease is not from Dixie, though.

With aid of Floyd Hallicy and Al Golden, Jr., in straight roles, comic teams of Fred Binder-Jack Rosen and Pinto-Della, latter two from vaudeville, put finishing touches. Former twain doesn't miss a hoke trick. Stepping out of character, improvising and ad-libbing all over the place. Skits are rehashed and dressed up and boys only cack in few instances. Vauder's work their way up from audience to heckle Miss Dobbins and finally go into musical interlude with a coupla string instruments. *Hurl.*

## REPUBLIC, N. Y.

Comedy is the biggest part of the show this week and while most of it registers it's chiefly bawdy stuff. Most of the stuff being dished out by this troupe from Weinstock's other house in Miami Beach is just plain dirt. Bernie Moore, Eddie Kaplan and Irving Selig dish it out, straighted by Chick Hunter.

For the rest of the hour and 40 minutes, nine ponies and six showgirls and a four-ply strip lineup go through their paces. Former division are an okay aggregation, handling everything assigned to them. Nothing outstanding, however. Costumes easy on the eyes both in color combinations and general tailoring. Dances well lighted and nicely staged. Sylvia, an interpretative terper, is on for two or three stints, meaningless as far as the ticket holders are concerned.

Strip contingent has Hazel Miller, Dorothy Lawrence, Crystal Aymes and Carrie Finnell doing their stuff in that order. Miss Lawrence and last named preface their peel with vocals. Former not bad but not good either. Miss Finnell as usual wows 'em with her animated bust routine but the Aymes gal corners the palm-whacking for the stripping. Shapely blonde, the latter looks good on the doff, but is one of the main dirt offenders in a comedy skit near the close. All except Miss Finnell double into them. Phil Stone, juve, has a nice set of pipes.

## Philly Burley Shuts

Philadelphia, April 19.

Punko biz has shut second burley house here within two weeks when Izzy Hirst quit at his Troc last week.

This leaves only one burlesque house open, Hirst's Bijou. Closing of Troc followed demise of Max Wilner's Shubert for failure to pay federal amusement taxes.

### AUSSIE ACTS SAIL

Hollywood, April 19.

. id Page and Co. and the Elite Trio sailed from Vancouver on Aorangi last week for a tour of the Tivoli circuit in Australia.

Both acts were set by mer, Tivoli booking rep here.

# House Reviews

## EARLE, PHILLY

(Continued from page 44)

orfully togged in what passes for collegiate style, they click neatly.

Kenny Sargent, whose overdone nonchalance makes his tenoring better via the air than the stage, nevertheless does okay with 'Please Be Kind,' 'For You,' 'I Cried for You' and 'I Love You Truly.' Heavyweight Pee-Wee Hunt leaves bandstand for vocals on pair of novelty numbers. Good. Playful session between Hunt and comic-looking trumpet-tooter might be built into really good bit with more bizness.

Mildred Law is a capable tapper. More careful dressing to add s.a. would strengthen. Usual drunk routine by Ben Dova in second spot very so-so. *Herb.*

## DENVER, DENVER

*Denver, April 17.*
*Three Southern Gentlemen, Gordon MacKay, William McCullough, Quinn Sisters, Fields & Clark, Sol Strausser, Neeley Edwards, Jonny & Julius, Helen Warner, Danny Drayson, Charles Hixon; 'International Settlement' (20th).*

This Major Bowe's International Unit suggests considerable professionalism.

Sol Strausser, a heavyweight from Poland, and Danny Drayson, are tops. Strausser sings opera and pops and the crowd insists on more. His 'Bei Mir Bist du Schoen' wins lengthy applause. Danny Drayson, expert with a few words and fewer motions, tapping while walking and his pantomime, ties with Strausser in popularity.

Denver interest added to the show Friday (15) with the arrival by plane of Helen Warner, who won the Thursday (14) night Bowes show. With her appearance crowds upped suddenly. Human interest fanned because she reportedly hitch-hiked to New York for the Bowes hour, and then flew here to join the unit in response to a request by Harry Huffman, Fox city manager. Mrs. Warner's four-year-old daughter is introduced on the stage with her. She sings two blues songs and is well received.

The Three Southern Gentlemen, two about the same size and one considerably taller, have a professional air, singing and tapping well enough for any stage. Good for an opener.

Gordon MacKay, from Puerto Rico, lyric tenor, is slightly tough on the ears when he throws his full volume, but plenty okay with few high notes. He's got the range, though. William McCullough does 'The Bells of St. Mary' on Swiss bells, and then closes with a fast number on sleigh bells.

The Quinn Sisters are best in their skip rope tap number with the lights low. Shoes, rope and costumes show well and with their ability have no trouble in getting over. Fields and Clark thrill on skates, having most of the old tricks with a few new ones. They're fast and sure, though.

Neeley Edwards, who doubles as m.c., does a bit of a gay 90's act, and finishes with a trick musical instrument that makes noise rather than real music. Jonny and Julius is a sort of a double-up act. One trumpets, the other imitates one. They work nicely together.

Charles Hixon closes with a marimbaphone and an accordion, playing both at the same time. They're wired together electrically and he plays the marimbaphone without making music on the accordion by not pumping the latter. On the marimbaphone, caps over the pipes make the tunes.

Crowd good at the second Saturday (16) show. *Rose.*

## STANLEY, PITT

*Pittsburgh, April 17.*
*Dave Schooler, 6 Danwills, 4 Franks, Sheila Barrett, Allan Jones, Dave Broudy's House Orch, 'Fools for Scandal' (WB).*

Easter bunny is feathering Stanley's nest smartly. Lots of b.o. umph and plenty of entertainment. It's all showily routined and briskly paced.

Allan Jones, the magnet and handsome singing star of films, comes through with room to spare. With a male accompanist, he gets right down to work with a slick medley of tunes he's done in past pictures then into memorable 'Donkey Serenade' from 'The Firefly' (MG) and finishes off with 'Alone.' Mob going for him in a big way and he's generous without being condescending. He's spotted at finish, rightly so because it's too tough for anything to follow.

Dave Schooler, m.c., still has a way with him although not the slick, assured performer he was back in the good old days. On his own, however, Schooler gets by, knocking out a showy Second Hungarian Rhapsody on the piano and later in the show leading Dave Broudy's house orchestra, on the stage, through multiple arrangements of 'I Can't Give You Anything but Love, Baby,' a la grand opera, march, merry-go-round, etc. Could shorten number of versions. Introducing it as theme song of Jackie Coogan's mother isn't in very good taste either.

Surprise click is Sheila Barrett, figured a little over the heads of the two-bit film crowd but, on the contrary, she hits them between the eyes. That's because the top-notch mimic picks her material wisely, keeping away from her ultra smart stuff. Starts with the radio announcer's spiel at a Hollywood opening, introducing W. C. Fields, Garbo and Simone Simon, then into the sith'n flapper, doing Noel Coward's 'Mad About the Boy,' and off with her hotcha nitery canary doing 'Goody Goody.' She shoots everything over fast and has to beg off.

Other two turns sock, too. . i Danwills open, one of the most spectacular acrobatic troupes around these days. Give show a good start. Four Franks also pushovers. Two boys and two girls are talented, versatile youngsters, who hoof like mad, toot means saxes and trumpets and get off some first-rate comedy pantomime. Kids are nice-looking, clean cut and attractively costumed. Turn in some of the fastest variety to come this way in a blue moon.

Broudy's house crew on platform looks bigger because men are spaced across stage. Their appearance also helps; they wear white coats. Schooler leads orchestra throughout, Broudy sitting in fiddle section. *Cohen.*

## Earle, Washington

*Washington, April 17.*
*Judy, Annie & Zeke Canova, Virginians (8), Ray & Trent, Edna Janis, Dancing Debutantes (16); 'Fools for Scandal' (WB).*

Bill here this week is well staged, moves swiftly and all turns click. Topped by Judy Canova, not seen here since she went into films. Along with sister Annie and brother Zeke, she's a fave of localites and her top-notch rustic foolishness and hillbilly songs get her over.

Show opens with elaborate 'Easter Parade' number, Virginians (16), eight of the sixteen Dancing Debutantes, gals, singing at each other. Followed by line backing up solo taps of Edna Janis. Next are Ray and Trent, opening as comedy dance duo, going into set of gymnastics that are surefire.

Virginians back singing 'Lesson to You,' 'Old Man River' and medley of navy tunes, all pleasantly. Encore, 'Dipsy Doodle,' is cue for Debutantes again in precision number, that shows they're well trained. Then into a Canova session, followed by entire troupe in finale, with Debutantes scoring again in drill routine.

## Saranac Lake

**By Happy Benway**

Mrs. Graham McNamee vacashing in the Adirondacks and while ogling the Will Rogers, greeted all in the Actors Colony.

Leandra Rl ler, of the Commodore theatre (cashier) Brooklyn, is a newcomer at the Will Rogers.

George Church, N. Y., visiting Carleen Knight at the Will Rogers.

Milton Reich, Jack Edwards, Jules Zwilling, New Yorking with a two-week vacash permit. Boys have made the grade.

Dr. George Wilson's okay resulted in discharge of Marie Bianchi and Jeanne Grande, after less than a year of ozoning. Both New Yorkers.

Myra Fox left the Will Rogers fo a Washington, D. C. visit.

Henry (Richmond, Va.) Wuench nosed out an operation by Dr. Wilson.

If arrangements can be made, Saranac Lake will be represented at the New York World's Fair, says Mayor Tom Ward.

The Christy Mathewsons back at their Park avenue home here.

This Actors Colony likes the interest of Jacob Bernstein, from Rochester, N. Y. in the Actors Colony. 'If there's anything that I can do for the gang up there to further their happiness, let me know what it is.'

Pauline Price (Ford and Price), who saw many moons of ozoning up here, doing o.k. in Brooklyn. Ditto for Bobby Hatz.

When you are through reading that book, why not send it to the Will Rogers hospital? The library can stand a lot of new volumes. You can send same direct to the hospital or to this column, 91 Broadway, Saranac Lake, N. Y.

Scene on Broadway, Saranac. Pop Harry Barrett, 80, juggling three lemons. Remember the Juggling Barretts? He's put in 10 years up here.

(Write to those you know in Saranac and elsewhere who are ill.)

# Variety Bills

NEXT WEEK (April 25)
THIS WEEK (April 18)

Numerals i

## RKO

**ALBANY**
**Bleecker Hall (22)**
Kodaks
**BOSTON**
**Boston (21)**
Waikiki Nights
(14)
B rnivici Co
**Memorial (21)**
Nonchalants
Dixie Dunbar
Tommy Wonder
Jackie Cooper
Bert Wheeler Co
(14)
Guy Lombardo Orc
**CHICAGO**
**Palace (22)**
5 Jansleys
June Pickens
Frank Ga
Holland & Hart

**CINCINNATI**
**Shubert (22)**
Fred Waring Orc
(15)
Al Pearce Orc
**CLEVELAND**
**Palace (22)**
Monroe Bros
Jack Lenny
Statler 2
Judy Canova Co
Dr Hoffman
Minnevitch Co
(15)
Fred Waring Orc
**SCHENECTADY**
**Proctor's (21-23)**
Schichtl Co
Carter & Holmes
Hunter Crabbe
Sybil owan
Bryant Raine & Y

WITH
TED LEWIS UNIT
25th WEEK
RAY ROYCE
: LEDDY & SMITH

## Loew

**NEW YORK CITY**
**State (21)**
Blue West Co
**EVANSVILLE**
**Majestic (21-23)**
Variety Gambols
**PITTSBURGH**
**Stanley (22)**
Je sel & Talmadge

Tommy Turker
**WASHINGTON**
**Capitol (22)**
**Robinson & Martin**
Novak & Faye
York & King
Allan Jones

## Paramount

**NEW YORK CITY**
**Paramount (20)**
Tommy Dorsey Orc
Ben Blue
G & R McDonald
**BIRMINGHAM**
**Pantages (22-24)**
H'wood Hotel Rev
**BUFFALO**
**Buffalo (22)**
Ariega
**CHICAGO**
**Chicago (22)**
Spanky McFarland
Jack Pepper

**DALLAS**
**Majestic (22)**
Pan American Rev
**DETROIT**
**Michigan (22)**
Gilbert Bros
Ada Brown Co
Boris Karloff Co
Samuels Bros & H
Gene Dennis
**GREENVILLE**
**Carolina (27)**
H'wood Hotel Rev
**SPARTANBURG**
**Carolina (28)**
H'wood Hotel Rev

## Warner

**PHILADELPHIA**
**Earle (22)**
Cab Calloway Orc
(15)
Glen Gray Orc
**PITTSBURGH**
**Stanley (15)**
4 Franks
Sheila rrett
Allen Jones
Danwills
Dave Schooler

**WASHINGTON**
**Earle (22)**
Virginians
Tommy Riggs
3 Sailors
Felovis
Alphonse Ber
(15)
Ray & Trent
Edna Janis
Virginians
Judy Canova
Annie & Zeke

## Independent

**INDIANAPOLIS**
**Lyric (22)**
Major Bowes Co
(15)

Wayne King Orc
Ames & Arno
Gower & Jeanne
Robert Neller
King Choristers

## London

### Week of April 18

**Astoria D. H.**
Marion Pola, J & B
**Dominion**
Elizabeth Welch
Arnaut Prean Bros
**Trocadero Cab**
Arthur Prince
Ken Harvey
Olga
Jack arner
Tyrolean Singers
Adon.
**CAMDEN TOWN**
**Gaumont**
Eddie Gray
R B Harris
McDonald 2 & Mills
**CHELSEA**
**Palace**
Stanelli's Co
**CLAPHAM**
**Granada**
Younkman's Bd
**EAST HAM**
**Granada**
Cortez & Costler

**GREENWICH**
**Granada**
Cortez & Costera
**HAMMERSMITH**
**Palace**
Leslie Jeffries 3
**ISLINGTON**
**Blue Hall**
2 Merry Widows
McDonald 2 & Mills
**LEYTONSTONE**
**Rialto**
Tommy Trinder
Barry, Andre, rett
Joe Petersen
Bobby Howell
**TOOTING**
**Granada**
Younkman Bd
**WALTHAMSTOW**
**Granada**
Tommy Trinder
Barry, Andre, Brett
Bobby Howell Bd
**W OLWIC**
**Granada**
2 Van Strattons
Teko & Barry
Geddes Bros
Fields Bd

## Provincial

### Week of April 18

**EDINBURGH**
**Royal**
el Hot'
Forsythe S'm'n & F
Society Swingers Bd

Armour Boy
4 Beachcombers
**GLASGOW**
**Pavilion**
Harry Gordon
12 Loretta Gls
Jack Holden
Alex Lennox
Marwoods & R
Clayton Sis
3 Aristocrats & H
4 Hermans

**LIVERPOOL**
**Shakespeare**
Frank Randle
Nelson & Hagen
Terry Wilson
Mona Grey
Edna Ashby
Salamun & Ona
Eddie Peabody

# Cabaret Bills

## NEW YORK CITY

**raey Gallent's**
Marilyn Gaynor
Mary Neville
Terrace 3
Prof Kamm
Dianne Parrish
**Barrel of Fun**
Smith Mosely Orc
Clayton & Dunn
Gertrude Dwyer
Bennett Green
**rtolotti's**
Don Sylvio Orc
Angelo's Rhu'ba Bd
Ivy Cole
June Carroll
Anna Whita
3 Little Sach
Laura Deane
Renee Villon
**Gay 90's**
Ed Furman
Billy Lorraine
Margaret Young
Joe Howard
Rudy Madison
Ethel Gilbert
Spike Harrison
Bernie Grauer
Henry LaMarr
**Cafe Creole**
Skeets Tolbert Orc
Amy Spencer
Berrington Guy
**Casa Manana**
Abe Lyman Orc
Joe Candullo Orc
Dr Rockwell
Sally Rand
Morton Downey
Oscar Shaw
Tom Patricola
Stan Kavanagh
Willie, West & M
Walter Dare Wahl
Frazee Sis
Proske's Tigers
Sanami & Michi
**Chateau Moderne**
Consuelo Flowerton
Angela Velez
**Chez Firehouse**
Al Evans Orc
John Hoyeradt
Massey & Miller
Pelson Gardner
**Club Cavalier**
Chupple Erente Orc
Lou Taylor
Peggy O'Neill
Ramona
Bothw'l Browne Gls
**Club 18**
G Andrews Orc
Jack White
Pat Harrington
June Lorraine
Frankie Hyers
Lella Gaynes
Jerry Kruger
Doc R E Lee
1-R'd Jackson
Willie Grogan
Julio
**Club Gaucho**
Los Gauchos Orc
Dimitri & Virgil
Trini Plaza
Nannette Vallon
**Cotton Club**
Duke Ellington Orc
Aida Ward
Peters Sis
Peg-Leg Bates
Man Johnson
Alan & Anise
Chocolateers
**El Bongo**
Jack Mayo Orc
O de la Rosa Orc
Hilda Salazar
Elena & Antonio
Edoardo Brito
**El Morocco**
Ernie Holst Orc
**Famous Door**
Louis Prima Orc
Oshins & Lessy
Rose Blane
**Footlights Club**
Smokey Joe Orc
John Beck
Grace Morgan
Lee Turk
Mme La Duchesse
**Garbo**
Francis Hayes Orc
Baron Gyldenkrona
Mickey Feeley
Marcelle Wellington
Elaine & Henry
**Greenwich Village Casino**
Ray O'Hara Orc
Aileen Cook
Helen & Tom Nip
Gwen Marla
Ruth Hazen
Valerie Dumont
Joey Coppo
**Havana-Madrid**
Nano Rodrigo Orc
Biella Ortega
Juan Martinez
Estela Ramos
Feline Reyes
**Hickory House**
Joe Marsala Orc
Peggy Newton
3 Peppers
**Hotel Ambassador**
Dick Gasparre Orc
Beauvell & Tova
Adelaide Moffett
**Hotel Ast**
Sande Williams Orc
M Raginsky Orc
**Hotel imont-laza**
Bernie Dol ro

Terry Lawler
Jean Mona
Hal Richman
**Hotel Biltmore**
Horace Heidt Orc
Charles Goodman
Red Farrington
Lysbeth Hughes
4 Kings
Kajar
**Hotel Bossert (Brooklyn)**
Will McCune Orc
**Hotel Commodore**
Red Norvo Orc
Mildred Bailey
Terry Allen
**Hotel Edison**
Blue Barron Orc
**Hotel Essex House**
Charles Baum Orc
Vee Lawnhurst
**Hotel Gov. Clinton**
Eddie Lane Orc
**Hotel Half Moon (Brooklyn)**
Ken Casey Orc
Betty Williams
Lola Rogers
Larry Stewart
**Hotel Lexington**
Ray Kinney Orc
Pualani
Mapila
Mapuana
**Hotel Lincoln**
Isham Jones Orc
Kathleen Lane
**Hotel McAlpin**
J Messner Orc
Jeanne D'Arcy
Gonzales & Mennen
**Hotel New Yorker**
Jimmy Dorsey Orc
Bob Eberle
June Richmond
Ross McLean
Charles Ukslu
Roberta & Farley
Alfred Trenkler
Ronald Roberts
Bobbie Dores
May Judels
Du ine Farley
DeLorien Ziegfel
Eric Wait
**Hotel Park Central**
Jerry Blaine Orc
Le Zorros
Walter Donohue
Geo Brown
Ann Page
**Hotel Pennsylvania**
Benny Goodman Or
**Hotel Piccadilly**
Juan Bertal Orc
**Hotel Plaza**
Pancho Orc
Paul Draper
**Hotel Roosevelt**
Orrin Tucker Orc
Bonnie Baker
Bailey Sis
Morton Wells
**Hotel Savoy-Plaza**
Emile Petti Orc
Joe McNamare
Dixie Ingram
Dwight Fiske
**Hotel Shelton**
Ed Mayehoff Orc
**Hotel St. George (Brooklyn)**
Harold Stern Orc
**Hotel St. Moritz**
Ralph Gonzales Orc
Basil Fomeen Orc
Claire Vermonte
Fawn & Jordon
**otel St. Regis**
Emil Coleman Orc
C Codolban Orc
Vanda Mara
Mario & Floria
**Hotel Taft**
Geo. Hall Orc
Dolly Dawn
**Hotel Waldorf-Astoria**
Leo Reisman Orc
Xavier Cugat Orc
Eve Symington
Paul Haakon
Nina Whitney
**International nino**
Tascha Bunchuk Or
Gene Fosdick Orc
Vincent Bragale Orc
Gaudsmith Bros
Eddie McMullen
Bobby May
C de la Grange
Artini
Maurice & Crance
Jacqueline Mignac
Emilie Gregoire
**Jimmy Kelly's**
Joe Capello Orc
Allan Small
Mary Lane
John Rockwood
Tanya
Gene Walters
Peggy de la Plante
**it Kat Club**
Leroy Haines Orc
Charioteers
Pearl Baines
Teddy Hale
**Larue**
Eddie Davis Orc
Joseph Smith Orc
Julie Gillespie
Graziella Parraga
**La Conga**
E Madriguera Orc
Patricia Gilmore
**La Marquise**
Karol Kane

Muriel Welch
Frank La Salle
Silvertone 3
Marla Forbes
Frank McFarlane
Dolores Rogers
Pela Lee
Ann Stuart
**Laurel-in-the-Pines (Lakewood, N. J.)**
Howard Woods Orc
**Le Coq Rouge**
Nick Vouzen Orc
Geo Sterney Orc
Murray Heyman
**Le Mirage**
Harry Horton Orc
Maryon Dale
Rudolph & Xandra
Lloyd & Willis
Wynne Ralph
Tisdale 3
**Leon & Eddie's**
Lou Martin Orc
Eddie Davis
Alfredo & Dolores
**Le Ruban Bleu**
Hope Emerson
Lotte Lenya
Elsie Houston
Jimmy Daniels
Bowers & Waller
**Little Old New York**
Jack Laurie
Phoebe Hightower
Jack Palmer
Mickey Mallory
Marie Marlow
Billie Chester
Esther Martin
Dolores Watson
Maxie Lenkel
**Murio's**
Angel Pagan Orc
Elena Cortez
Pippi
E Villanueva
**Nut Club**
Henry Jerome Orc
Lillian Nono
Helene
Jack Mason
**umanian**
Michael Weiner Orc
Yourly Yourloff
Helen Shaw
Sammy Morris
Rosalie Roy
Sadie Banks
Ethel Bennett
Ada Lubina
Ronnie De Campo
**Onyx Club**
Stuff Smith Orc
**Paradise**
Bu Berigan Orc
Lionel Rand Orc
Barbara Parks
K & R Paige
Johnny Coy
Alan Carney
Liberto & Owens
Shannon Dean
4 McNallie Sis
**Place Elegante**
W Palermo Orc
Bill Farrell
Ernest Franz
Vincent DeCosta
Rex Saville
**Plantation Club**
Ovie Alston Orc
Lee Simmons
Marion & Margo
Lawrence Hill
Anler n Sis
**Queen Mary**
Hal Hope Orc
Ray Jones

Ann White
Sid Manish
Katherine Mayfield
Wilson Lang
**Queens Terrace (Woodside, L. I.)**
Jack Melvin Orc
Deauville Boys
Harriet Cross
Rosalie Roy
Phyllis Dare
Adams & Novina
**Radio Franks' Club**
Frank Bessinger
Jerry White
Gracie Morgan
Gus Wicke
Jimmy Burns
Fred Bishop
Mummy Jennie
Joe Gallagher
**Rainbow Grill**
Bert Block Orc
Marilynn & Michael
**Rainbow Room**
Eddie LeBaron Orc
Ruby Newman Orc
Raye & Naldi
Rosita Rios
John Fraser
Ray Morton
**Roumanian Village**
Charley Swartz Orc
Ludwig Satz
Henry Berman
Leo Fuld
Henrich Cross
Dolores-Rosina
Gypsy Nina
**Russian Art**
Sasha Datsko Orc
Anna Kouznetzova
Mara
Sinda Veella
Alex Bolshakoff
Eli Spivack
Zachar
**Rus retchma**
Nicholas Matthey Or
Michel Michon
Nadia Sokoloskaya
Marusia Sav
Simeon Karavaeff
**Salon Royal**
Barry Winton Orc
J Dominguez Orc
Joan Edwards
Nancy Nelson
Hilda Salazar
Martha Stephenson
**Stork Club**
Bobby Parks
Nilo Menendez ro
**Ver ill**
M ergere Orc
Gus Martel Orc
Sheila Barrett
**Village Barn**
Johnny Johnson Or
Tom Emerson Co
Larry McMahon
Gardner & Kane
Cyril Mansfield
Kollegiate Kids
**Village Brewery**
Lou Carroll Orc
Jimmy Audubon
Pat Kilpatrick
**Whirling Top**
Geo Morris Orc
Ramon Elingo
Stephen Hairie
Maria Cerny
**ivel**
Bob Asen Orc
Bob Lee
Patricia Riley
Letty Kemble
Ted Lester

## LOS ANGELES

**Bali**
Charlie Lawrence
Bruz Fletcher
**Beverly ilshire**
Harry Owens Orc
Hawaiian Dancers
**Biltmore**
Dean Janis
Joaquin Garay
Petch & Deauville
Al Norman
Frank Tromber Orc
**Cafe de Paree**
Max Cochrane Orc
**Cafe International**
Les Hite Orc
Evelyn Farney
Princess Luana
Earl & Francis
5 Sweethearts
**Cafe la Maze**
Donna Gordon
Elinna Dahl
Don Roland Orc
**Clover Club**
Bob Grant Orc
Rhumba Orc
**Cocoanut G ve**
Bergen & McCarthy
Alec Templeton
Herbie Kay Orc
**Hawaiian Paradise Club**
Diana Toy
Dorothy Vernel
Aggu Auhi
Tama & Tavita
Leina Ala
Hilda Pualola
Eddie Bush 3
Pua Kiahulu
Dick McIntyre
Sol Hoopi Orc
**It Cafe**
Bill Hoffman
Aniwa Boys
**La Conga**
Chiquito
Tana
Eduardo Duran
Rhumba Bd
H Rosenthal
**Little Club**
Jane Jones
Bessie
Tiny Meredith
Lee Keener
Paul Kendall
Helen Werner

**mar's**
Lee Leman
Helen Mandel
Edith Davis
Eddy & Tours
U Redmonds Orc
**Pacific Sunset Club**
Vicki Allen
Armando & Lita
Agnes Johnson
Kenny Gartner
Darlene Garner
Chico

Dural
Mialngs
Muzzy Marcellino
Hudson Metzger Gls
3 Debutantes
Ted Fio Rito Orc
**Paris Inn**
Schnickelfritz Bd
Bobby Harryson
B Jeanne & Co
Hudson Metzger Gls
3 Debutantes
M Marcellino
Ted Fio Rito Orc
**P Selznick's Club**
Maxine Sullivan
Betty Bryant
Francis Stevens
Harpers Swing 6
Helen Robbins
Bill Rankin
**Seven Seas**
Sol Bright Orc
Danny Sullivan
Lily Gibson
Honolulu Dancers
Kay Silver
**Somerset H**
Jack Owens
Durrell Alexander
**Topsys**
Judy Baker
Maxine Frances
Irene Harrington
3 ynn Bros
Leona Rice
Maxine Wingo
Russell Brown
Constance Blackm'n
Lorraine Gerard
Jan G rber Orc
**ulero**
Garwood Van Orc
Panchito Orc
**V Hugo Restaurant**
Skinny Ennis Orc

**Jackhawk**
Bob Crosby Orc
Alice Marlon
Loyanne & Renard
Jo Andrews
**Chez Paree**
Harry Richman
Judy Starr
Lou Breese Orc
C & J Preisser
Dan Huston
Don Orlando Orc
**Colosimos**
Henri Gendron Orc
Gus Van
Yvette Rit

Franchon & Fr'ch'n
Eddie White
Ross Wyse Jr
Renee Villon
Mildred Jordon
**Club Alab**
Harriet Norris
E o Barton
Inez Gamble
Carl Villani
Bernie Adler
Monte Harrison
**885 Club**
Paul Rosini
Gladys Crane
Susan Cantu

Glorie Faye
J Honnort
Nina Rinaldo Orc
**Gay**
Lew King
Ingrid
Dolores Green
Skippy Reale
Bobbie Conner
Lew King
Jule Novitt Orc
Colleen
**Harry's N. Y. Cabaret**
Chas Engles Orc
Jack Irving
Art Buckley
Al Wagner
Dorothy Johnstone
Laurene Nevell
Joe & Lonett
Harry Linden
Billy Meyers
Mystic Vibra
**Hi-**
Willie Shore
Nan Blackstone
Luba Malina
Gould Sis
Kay LaSalle
Sid Lang Orc
**Hotel Bismarck (Walnut Room)**
Art Kassel Orc
Marion Holmes
Billy Lee
2 Eileens
Frank Payne
Young & Sloan
**Hotel Brevoort**
Florence Schubert
Bene Lacvin
Joe Parlato
**Hotel Congress (Casino)**
N T G ev
**Drake Hotel (Gold Coast Room)**
Hal Kemp Orc
Rosalind Marquis
Elaine & Barrie
Chas Carrer
Sunny O'Dea
**G Terrace**
Louis Armstrong Or
May Diggs
Penny & Jon
Sunny nals
Bobby Castin
Julia Hunter

**Edgewater Beach Hotel (Marine Room)**
Griff Williams Orc
Monte Kelly
Buddy Moreno
Nob 3
**Hotel Palmer ouse (Empire Room)**
Maurice & Cordoba
Gali-Gali
Dorothy Kln
Stanley Hickman
Bernie Cummins Or
Abbott Dan
**Hotel Sherman (College Inn)**
Novelle Bros
Bob Bromley
Stadler & Rose
Louis Panico Or
**Hotel Stevens (Continental Room)**
Sterling Young Orc
**Rose Bowl**
Earl Rickard
Mickey Dunn
Pa lette LaPierre
Marcella Gardner
Peggy Lee
Tom Ferris
John Hurst
**Royale Frolics**
Rela Bros.
Dolly Kay
Joyce Bron & Deen
Mark Fisher Orc
Sid Tomack
Anita Jacobi
Jack Hilliard
Elcherds, Adriana 3
3 Trojans
**Three D**
Roy Eldridge Orc
Cleo Brown
Gladys Palmer
Fred Reed
Monette Moore
**Yacht Club**
Billy Gray
Jerry Bergen
Mildred Fenton
Fritzie Lurie
Maurie Stein
**606 Club**
Billy Carr
Marion Miller
Tripoli 3.
Mary Grant
Boots Burns
Marne

## PHILADELPHIA

**Anchorage**
Lee Lamont
La Carda
Eleanor Bowers
Johnny Graff Orc
**ranklin Int'l**
Music Weavers Orc
Happy Felton Orc
Marilyn Maynard
Armand Camgros
Sammy Sanders
Three Reasons
Mayfair Girls
Kimer
**Bellevue-Stratford (Planet Room)**
Mayer Davis Orc
**(Burgundy Room)**
Frank Juele Orc
**Ben Franklin Hotel (Georgian Room)**
Leo Zollo Orc
**Benny the Bum's**
Deloyd McKay
Harry Dobbs Orc
Renato & Rochelle
Lillian Kenny
Louie William
Jimmy Blake
Cliff Conrad
**Cedarwood Inn (Malaga, N. J.)**
Frankie La Bee
Bernice Gee
Jack Curtis
Belle Rochelle
Edythe Hess Orc
**Club 15**
Dick Thomas
Jerry Delmar Orc
Pepper Gus
Patty LaVerne
Mildred Lewis
Billie France
**Club Parake**
Tessie Edwards
Sunny Graser
Al Wilson
Maina Leonar
Emma Slonck
Fran Caswell
Bill Thornton Orc
**bassy Club**
Barbara Parks
Violeta & Rosela
Renee Villon
Wynn Paterson
Virginia Langdon
Helen Benton
Bert Clemoux
Padro Blanco Orc
Cliff Hall
**1523 Locust**
Babette
Daisy Leighto
Ruth Martin
Kay Lavery
Irena Kay
Swing Kings Orc
Bubbles Shelby
**Hollywood Cafe**
Grace O'Hara
Billy Hays Orc
Marrone & Gallo
Jack Steck
Ambassadors Line
**Hotel Adelphia (Cafe Marguery)**
Bob Bollner
Joe Frasetto Orc
H & R Williams
Three Wiles
Bob Ripa
Evelyn Wallace
Leslies
Don Angelino Or
**Lambs Tavern**
Larry Mell Orc
**Little Rathskeller**
Jack Griffin Orc
Johnny & George
Nancy Lee
Keller & Burns
Ruby Horn
Marty Bob
**Palumbo's**
Bobby Marro Orc

Eddie Thomas
Lee Bartel
4 Bombshells
King Sis
Gallo & Bazzo
Dumont & Suy
**Stamp's Cafe**
LaCosta & Lolita
Vic Earlson
Beth Calvert
Gay Sis
Pat Cranford
Jack & Johnny
Irving Braslow Orc
**Iver Lake Inn (Clementon)**
Bill Honey Orc
Ruthania & Malc'm
Kahn & De Pinto
**1214 Club**
Hollywood Girls
Pearl Alexan
Isabelle Hay
Eleanor Sterling
Ginger Sherry
Myrna Deane
Chick Finis Orc
**Parrish Cafe**
Happy Jack
Swingsters Orc
Arlene Balleaste
George Craft
Baby Lewis
**Dutkin's Rathskeller**
Airway Duo
Laline Sis
Joyce Henry
Eleanor Lane
Victor Nelson Orc
Frank Ponti
**21 Club**
Catherine Hoyt
Mimi Hollins
Elaine Martin
Jerry Brandon
**20th Century**
Lou Lengo Orc
Harold Beswick
**Walton Roof**
Henny Youngman
Jeno Donath Orc
Vincent Rizzo Orc
Paul Neff Orc
Catherine Quin
Jack Moss
Cordoba Sis
Mildred Reed
Readinger 2
J & E Vernon
Ruth Petty
Marlora
Agnes Tidle
**Weber's Hof Brau (Camden)**
Louis Chaikin Orc
Ray Miller
John Gladmore Co
Jardine
D & R Lane
Ella Radford
Geo Wallace
Jack Moss
Sepple Zinlle
Int'l Instrumental 3
Sid Golden
Eldoradians
Ilse Hart
**Ubangi Club**
Doc Hyder Orc
Bobby Evans
Pauline Bry
LeRoy McCoy
3 Brown Jacks
Lillian Young
Novels
Jennie Dancer
**Yacht Club**
Babe LaTour
Doris Shea
Doris Fields
Margie Drummond
Patricia Robinson
Marcia Lee
Yacht Club Girls O
**Yorktowne Tavern**
Frank Harrigan
Frank Staub Or

## BOSTON

**Bagdad Club**
Doris Riley
Peggy O'Neil
Leanda & Lolita
Adele Lanean
**1 Madri (Lowell)**
Sonny Bubbles rc
Ginger Britton
Jean LeRae
Joe Ross
Frank Cronin
Fred Hickey

**Brown Derby**
Jimmie McHale Orc
Scott & Douglas
Rose Rayner
Mary Lou & S
Lynan Berne
Walter Donahue
Sylvia Thompson
**Chopstick**
Pearly Stevens rc
Larry Wallace
Lorraine Duo

Perry & Deacon
**Club Mayfair**
Lewis Bonick Orc
Dawn & Darrow
Dick & Dot Jones
Mystics 2
Fran
4 Kings
**Cocoanut Grove**
Billy Lossez Orc
Billy Payne
Chas Mazone Co 5
Park & Lane
Al Richer
**Cango**
Eddie Deas Orc
Rollins & Rollins
Sweety Pie
Graves
Sally Vine
Buddy Lewis
Rose Chapman
**Crawford House**
Deguchi Japs
Billy Stone
Mae Brown
Bessie Proffit
Pitts & Marie
Ford Gls
**Famous Door**
Herbert Marsh Orc
Alice St John
Ruth Colburn
Norma Mitchell
Walter Cole
Johnny Cawthorne
**Hotel lfford (Penthouse)**
Frankie Ward Orc
Carmen Trudeau
Muriel Page
Medisca & Michael
Sherman & McVey
Lawrence Spartan
**Hotel Copley Plaza (Sheraton Room)**
Irwin Gilbert Orc
**Hotel Copley Pla (Merry-Go-Round)**
Jimmy valone Or

**Hotel Copley Square**
Vin Vincent Orc
Dan Sweeney
Helena Carlson
**Hotel Moorland**
Bob Hardy Orc
**Hotel Statler (Terrace Room)**
Nye Mayhew Orc
Linda Keene
Buddy Welcome
**(Cafe Rou**
S Cavicchio Orc
**Hotel Westminst ( ino Room)**
Dick Stutz Orc
Honey Murray
Ross Rolland
Tom Hardy
Leo & Ella
**Levaggi's**
Chick Webb Orc
Ella Fitzgerald
**Normandie Ballr'm**
Lawrence Welk Orc
Jerry urke
Walter Bloom
Kirby rooks
**ville**
Don Dleo Orc
**Southland**
Lawrence Welk Orc
Jerry Burke
Walter Bloom
Kirby Brooke
**Steuben's**
Jack Fisher Orc
Janet Carol
Chadwicks 2
Kane Bros
Finney & Rogers
Marie King
**Towne Club**
Vaughn Monroe Or
**Tremont Plaza**
Gen lckerson Or

## PITTSBURGH

**Bill Gr n's**
Leighton Noble rc
Edith Caldwell
Chick Floyd
Johnny McAfee
**Hotel Roosevelt**
Buddy Russell 3
**otel Schenley**
Howdy Baum Orc
Freda Lazier
Buzz Aston
**Hotel Webster Hall**
Major Olmes Orc
**Hotel William Penn (Grill)**
Lawrence Welk Orc
Lois Best
Kirby Brook
Walter Bloom
**(Contin tal Bar)**
3 Guardsmen
**Italian**
Fizi Cov
Carmen
Glenn Harding
Wayne & Roberta
**New Penn**
Barney Rapp Orc
Ruby right
**Nixon Cafe**
Fran Eichler Orc
Bob Carter
6 Revelettes
2 Georges

Bray & Woods
Ross Irwin
Angelo Di Palm
**Nat Club**
Bill Rector
Daffydills
Al Gault
**Orchards**
Johnny Du
**Pept**
Eddie Payton
**Pines**
Brad Hunt Or
Ray & Marie
**Plaza Cafe**
Jimmy Peyton Orc
Adele Curtiss
Silver Cyclones
Chiquita
Sally Ann Palmer
Joe Thomas
**Show Boat**
Al Marsico Orc
Chickie & Ross
Herb Harrison
Chick Kemble
Betty Jerome
Wayne Vargason
Wilma Douglas
5 Palmer Girls
**'indmill**
Lenny Hahn Or
Jack Peck Rev

## DETROIT

**Book-Cadillac Hotel (Book Casino)**
Ethel Shutta
4 Bachelors
Enrica & Novello
Ran Wilde Orc
**( ur Bar)**
Peter Kent Orc
Connie Bates
**Chalet**
Harry Collett ro
George Hale
Armando & ria
Rose Evelyn
Marian Melrose
**Commodore Club**
Carroll & Gorman
Sammy Dibert Orc
Madelyn Baker
Don Arden
Commodorables 6
**Club 29**
Arnold & Yvonne
Ruth Javor
Fritzy Lure
Marge Shields
Lenore Rico
Watkins 2
Betty Fuede 6
Josephine Campbell
Frank Rapp Orc
**Forment Palms**
Frank Tracy
Rockets 12
George Downey
Don Trauger
Val & Velma
Carr & Mago
**Hotel Statler (Terrace Room)**
Jack Marshard Orc
Harris & Shore
Jack Berry
**Jefferson Beach**
Joe Haymes Orc

**Northwood Inn**
Ray Carlin Orc
La Rue Parker
Monty Wysong
Les Manning
Eddie Noll
Marian Nolan
Bertray Sis
**Powatan**
Carlye Sis
Johnny Howar
3 Orchids
De Bold 2
Warren & Bodie
4 Debutantes
Music Masters
**Plantation**
Bill Walker
Julia Hunter
Swan & Lee
Phil Jackso
Lula May
Gladys
Cecil Lee Orc
**Saks**
Les Backer Orc
Viscounts 3
Grace Travers
Bert Nolan
Kay Lasalle
A & S Russell
**Ten-Forty Club**
Glenn Dale
Florence & Ramon
Harriet Peebles
Adorables (6)
Jimmy Nolan
Coyle McKay Orc
**Webster Hall (Cocktail Grill)**
Art Mooney Orc
Charles Auld
Al Nally
Bill Baird
Frances Willer
Betty Stevenson

## Knee-Deep in M. C.'s

Philadelphi , April 19.

If too many chefs ruin soup, Philly niter ndering what four emc ing to do to one spot. New joint is about to be opened on highway to Atlanti ity by Mari Viltani and Mickey Alpert, both masters of ceremonies. First they hired were George Cli Jimmy Kelly, likewise both emcees. Kelly is Viltani's nephew.

Tag for new hotch either Mickey and Mari .., or vice versa. Boys haven't tossed the coin yet.

## BOREO DUE BACK

Emile Bor turnin month.

Comi -singer recently closed term at the French Casi , London.

# EARLY STRAWHAT SEASON

## Equity-WPA Again at Odds Over Non-Pro Issue; Transfers Still Stick

ist of those in the WPA theatre roject in New York whom Equity claims are amateurs has been broken down by the relief show heads. Results are distinctly unsatisfactory so far as Equity is concerned. Anothei protest has been made by the actors association and the situation aroused by transfers of people to other projects is again bubbling. Equity wants the non-pros, instead of its members, sent to the projects which pay less security wage.

But the figures submitted by WPA show a wide diversity of opinion about who are amateurs on the contested Equity list. That provoked the sending of a strongly worded let r by Equity to WPA. Stated the special Equity committee was assured by George Kondolf, director of WPA production in New York, that the transfers would be rescinded, but that no such action has been taken by the relief project. This committee had been given 'broad powers' when the transfer situation angered the Equity end.

**icultles Threatened**

Protest over WPA's breakdown of the list was to the effect that the figures do not cover the situation and the accompanying communication did not stick to the issue. Equity claims the WPA-ers are standing on technicalities and that continued delay may lead to difficulties 'beyond our control.' Relief heads are asked for material assurance of cooperation to relieve the unpleasant condition.

There were discrepancies in the list's total, but it developed that all persons whose rating as professionals could be questioned were included and the number amounted to 510. WPA survey of the list brought about the following contentions:

That 200 people claim they belong to stage unions and have been asked to get written evidence from the unions.

That 195 are in Yiddish, colored nd circus units, without union affiliation.

That 50 are drama coaches and their training and experience are being investigated.

That 65 are non-professionals, but are described as 'young, promising and talented' and can be included in the 10% to 20% of non-pro quota, which WPA heads claim was agreed on between Frank Gillmore and them.

**Claim Is Questioned**

This latter claim was immediately questioned by Equity. During the many conferences and conversations between association's former president and the relief people, no mention is known to have been made about the alleged arrangement on amateurs. Nor do the records and

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### John (TMAT) Golden

John Golden has been made an honorary member of the Theatrical Managers, Agents and Treasurers union. He will be given a gold card, expense of which was defrayed by subscription. Reported the producer was friendly to the union and when his 'Susan and God' was picketed at the Plymouth he insisted on the picket accepting money for dinner, while he carried the banner. Showman told a different story at the time, however. Picketing was against the house, not the show.

Golden is sal up membership in a union which he joined as artisan when a young man.

## WILL OPEN TA COAST OFFICE

Alan Corelli, executive-secretary of the Theatre Authority, leaves for Hollywood today (Wednesday). ill iron out details of a deal for the American Guild of Musicals Artists and the American Federation of Radio Artists to set up a separate Coast benefit autonomy within the T. A. Screen actors, directors and writers organizations are already in, along with Actors Equity and Chorus Equity and the American Federation of Actors.

Prior to leaving, Corelli nt a sheaf of notices to the American Federation of Actors. One of each will be posted on nitery bulletin boards and one placed in managers' offices. Statement is a duplicate of recent police and fire department chief's statements prohibiting the securing of talent, for pay or otherwise, at any show to be given by either department. T. A. wants to stamp out the chisel among law officers who use the hanging violation or pinch threat.

While west, Corelli will help western branch of T. A. elect its own reps to sit in on the national T. A. board. On return he will stop off at Chicago to visit the recently organized T. A. office there. Then will go to Boston as new frontier later in week.

## 'ETERNAL ROAD' RIGHTS ON BLOCK FOR $2,500

Entire rights, including book, music and scenic designs, controlled by the Eternal Road Distributing Corp., in Max Reinhardt's spectacle, 'The Eternal Road,' were ordered sold by Federal Judge John C. Knox on Monday (18) to the American Jewish Publishing Corp., for $2,500. Sale of the rights was recommended by Elliot B. Paley, trustee for the corporation, who informed the court that the finances of the production outfit would not permit the specce's reproduction by May 15 when corporation's rights to the play expire. Other properties connected with the play have been disposed of for $1,244 since the corporation filed a voluntary petition to reorganize under 77B of the bankruptcy act several months ago.

The rights disposed of under Judge Knox's order include the book by Franz Werfel, music compositions of Kurt Weill, the direction book of Max Reinhardt, and scenic designs by Normal Bel Geddes.

### Martin Beck Theatre's $69,448 N. Y. Tax Rap

An income tax judgment for $69,448 against the Martin Beck Theatre Corp., was entered Monday (18) in N. Y. federal court by Collector of Internal Revenue Joseph T. Higgins.

Amount includes interest and penalties and is based on the income of the corporation on intermittent months between 1931 and 1937.

### Morosco's Bankruptcy

Hollywood, April 19.

Walter Morosco filed a voluntary petition in bankruptcy in Los Angeles Monday (18).

Liabilities listed at $40,987, against assets of $1,744.

### Mary Brian's 'Honey'

Season opener at the Cape Playhouse, Dennis, Mass., will be Ward Greene's 'Honey,' which has already been bought by Max Gordon. ary Bri n, recently on the Coast, will play the lead role when it opens, June 27.

Gordon for a time planned producin the play on Broadway this season.

## SEE BIG SUMMER, ADDED TRYOUTS

**Rash of Rustic istrionics Seen—More Equity Haylofters More Pro Companies**

### TALENT PROSPECTS

Thespics in the barn belts look to hit still another new high this year. Advance office queries, requests for info, unusually early arrival of announcements and kindred surface activity presages more high water marks this year in the number of actors employed, increase in number of theatres and possibly a greater number of tryouts. Latter item, however, this dropped consistently over past couple of years as the other two have risen. Actors Equity is also of the opinion that it will be a hefty summer, professionally.

It's rather early for an accurate prospectus of hayloft histrionics, but the rate at which queries and announcements have been comi in has forced the issue to an earlier chronicling. Forthcoming season will see the arrival of plenty of new faces operating among the less regular spots and more in entirely new rustic locations, as with each succeeding year. Regulars, of whom there are about 20, hold to their properties each year. Newcomers are already recognizable in the comparatively small list.

Summer will also very probably see many stage and screen luminaries treading the boards of the attics. Equity sees a bigger year for stage stars in the offing, while many filmers have announced intentions of trekking to the woods for the combo of work and play, bed and board, added thespic learning and light coin over the usual 10-week session from June 30 to Labor Day.

Equity stepped in about two years ago and laid down regulations for strawhats. Bond was and is required for one week's pay for each of minimum six Equity actors, expenses, number of performances, transportation, limitations $5 weekly for board charge, lary minimums of $40 and $25 in class A theatres (those within 50 miles of N. Y. and all tryout theatres). Others are rated as 's, with correspondingly lighter rules.

**Equity's Attitude**

Equity does not encourage non-pro spots, and seeks to differentiate between those of the school rating and commercial ventures with pro crews. It also frowns on such places as offer unfair competish to more legit sites (those minus phoney schools and fees) and generally hurting the better spots because of poorer type of offering which ultimately

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## Guild's Q. T. Show Business With 'Jitters' Previews; To 'Present' Mercury Group, but No Merger

### Strip-Tease Legit

Sets for a recent musical were removed piecemeal during the last few days of the run so some of them could be put into another show operated by the same outfit. One exec connected with the organization was watching one of the final performance of the foldee.

Remarked that it had become a sort of 'Our Town' ith music.

## B'WAY SHOWMEN HUDDLING AFM

Deferred conference between League of N. Y. Theatres labor committee and the musicians union was held yesterday (Tuesday) to complete contract negotiations. Two points at variance did not interfere with managerial activities, pending an adjustment.

Most objectionable to the managers is the musicians' demand that if any mechanical music is used during a performance of straight plays four men must be engaged for the pit if the house does not regularly use orchestras. Rule has been operative in instances where patent organs were employed. An interpretation of the rule may serve as an adjustment, and if it does not include the use of a radio receiving set, the managers indicated they will be in agreement.

Other point concerned the 16-men requirement for musical shows. Union asks for that minimum in houses of 1,000 or more capacity, while the managers want the rule to apply to theatres of 1,100. About 14 houses might be affected one way or another, but the scarcity of musicals does not give the rule import at this time.

### Hardwicke Ill, Ducks 'Shadow' Performance

Sir Cedric Hardwicke was forced out of 'Shadow and Substance' at the Golden, N. Y., last week for the second time because of illness. Saturday night's (16) performance was cancelled. English star blamed his illness on some food he ate Friday ni ht. He was stricken during the matinee Saturday and a doctor was called. Actor recovered over the weekend and the show resumed Monday afternoon (18), when a special matinee was played.

Theatre Guild is giving a demonstration of secret show business at its theatre on West 52nd street, N. Y. 'Washington Jitters' has been playing there quietly for a week, ith two more to follow. If the Guild does nothing more with the play it will set a record of three weeks for previews, which the performances are called. Actors are getting regular salaries.

roadway opinion is that the Guild is putting something over on the press, since it is felt in some quarters that the critics have given the subscription organization's productions anything but the best of it this season, during which the Guild chalked up too many financial setbacks. House boards bill 'Jitters,' but there have been no ads in the papers and the reviewers will not be invited until May 2, when the regular run and public ticket sal will begin.

Guild people say there is nothing in particular to explain about the three weeks of private showings. Regular subscribers are attending the performances and comprise the bulk of the audiences. Some others are known to get tickets, although the box office of the Guild theatre i supposed to handle pasteboards for subscribers only.

'Jitters' rehearsed five weeks, one more than usual. Therefore the players will have received four weeks' full pay before the show opens to the public. In addition the cast got pay for rehearsal over a three-week period. Show was originally called 'Simply Henry Hogg,' and there was some doubt about regular presentation when it started in rehearsal. There was a similar uncertainty about having it viewed by the press.

**Complicated Production**

Performance indicates, however, that it may be good stage property. Most of the players are of the junior classification, with seasoned people appeari in the lead parts. There are 22 scenes calling for no less than 250 stage manager cues, believed to be a record. Settings are sketchy backgrounds, with drapes used otherwise. Battery of lights spots various characters during the playing.

Guild put on 'Jitters' with a group called the Actors Repertory Co.,

(Continued on page 48)

## JAS. REILLY EXEC-SEC LEAGUE N. Y. THEATRES

League of N. Y. Theatres last week appointed James F. Reilly to the post of executive-secretary, as expected. Position had been vacant since the death of Henry Moskowitz more than a year ago.

Although the board favored the new executive, one showman said that a nationally known figure might be obtainable, which held up Reilly's appointment for a time. Others doubted that the league could afford such an individual.

New secretary was named for an indefinite period because the league did not want to commit itself for a long term. oskowitz held the job under a similar arrangement, receiving $10,000 annually. Understood Reilly agreed to $7,500 as a starting salary.

Although he resigned some months ago as general manager of the Chas. Frohman office, controlled by Paramount Pictures, Reilly continued as a member of the manager's labor committee and was active during the recent negotiations with the Theatrical Managers, Agents and Treasurers union. Understood that participation was instrumental in the league, placing him in the secretaryship. He was formerly general manager for Gilbert Miller and at present represents the owners of the Lyceum theatre, N. Y.

## Grisman Dickering for Three Chi Houses; Would Give Loop 7 Legits

Chicago, April 19.

Possibility looms that Sam Grisman will splash into town during the summer as an important competitor to the Shuberts as theatre-holder. Deal is pending by which Grisman will take over the Blackstone, Studebaker and Majestic.

Blackstone has been a WPA house for the past two years. Studebaker has run occasional legit shows, but has been most important as concert house for past few years. Majestic is an old-time two-a-day vaude house which has been dark more than lighted duri the past five years.

Gris an has made several trips to Chi in recent months and indicates a serious interest in getting those three houses. Four regular legit houses, with the exception of the Erlanger, are controlled by the Shuberts. They include the Grand, Selwyn and Harris. Understood that Grisman has investigated every likelihood of getting any or all of these three spots from the Shuberts, but indications are that this will not be possible, according to the leases that the Shuberts hold.

During the height of the legit season there was a real scarcity of available houses in tow and Grisman figures that both the Studebaker and Blackstone can be re-established as top-flight legit spots and the Majestic established also for legit, especially for musicals.

# Inside Stuff—Legit

George Abbott's 'What a Life,' which opened promisingly at the Biltmore, N. Y., last week, drew a good press in Baltimore, where it tried out. Gross at $3,300 was bad, however, particularly in comparison with 'All That Glitters,' which the manager opened there to a $9,000 week. Latter show was a Broadway flop.

Light trade for 'Life' in Baltimore is partly explainable by the fact that it was opposed at Ford's theatre by 'The Women,' which drew strong money. United Booking Office usually books in only one show in a one-week stand, but Abbott booked 'Life' into the Maryland independently. Manager is rather superstitious about Baltimore break-ins. He used that stand for 'Room Service' and 'Brother Rat,' but has no notions about the number 13. 'Life' opened on that date at the Biltmore. Comedy is a first play by Clifford Goldsmith, who has been lecturing in high schools.

Members of the Abbott staff again have shares of the new show. Included are Carl Fisher, Charles Washburn, Charles Harris, Edith Van Cleve, Robert Foulke, Ezra Stone, Barclay McCarty, Kenneth White and several girls in the office. Stone and Miss Van Cleve are in the cast of the show, but their percentages result from their being Abbott's production assistants.

Producer has permitted his staff to take shares in each of his shows for the last couple of seasons. Matter is left to their discretion; they may take percentages or not, as they choose.

Statement recently attributed to Florence Reed, now on tour with 'Yes, My Darling Daughter,' that the decline of the road was due to the inferior quality of companies being sent out to duplicate Broadway hits had repercussions last week in Pittsburgh, where 'The Women' was playing. Understood Miss Reed referred directly to No. 2 troupe of Max Gordon smash in her argument and Lois Wilson, playing the lead in the touring 'Women,' went into a lengthy defense of her company, at the same time rapping Miss Reed for her 'unfounded statement.' When 'Women' opened in Chicago, critics there made no bones about the company, saying it was 'terrible,' but since then several cast changes have been made. Opinion of Pittsburgh reviewers, however, generally inclined to the Florence Reed view.

International Ladies' Garment Workers union has been given major credit for 'Pins and Needles,' at the Labor Stage, N. Y., but the background is not altogether that of the cloak and suit trade, whether workshops or offices. That particularly goes for those who wrote the numbers, credited with putting the revue across.

They are Harold J. Rome, who went to Yale, and Charles Friedman, who started in show business as a social director at summer hotels where entertainment is a feature. Composers have turned out some excellent stuff for a revue to be produced by Max Gordon and Sam H. Harris. Former engaged the team after seeing 'Pins.' New show is aimed for the Music Box, but not as a summer entrant. Due in August.

Original capitalization of the Mercury Theatre was in the neighborhood of $20,000 of which about $12,000 was furnished by seven individuals. They are William J. Rapp, editor of True Story mag; Harry Maguire, literary agent; Myron Falk and his daughter, Mildred Falk; William Sweets, director of the True Story radio hour; George Hexter and Clare Luce, author of 'The Women' and wife of the publisher of Time. Most of the backers were brought into the picture by Rapp, John Houseman bringing in Mrs. Luce and Hexter.

Mercury recently paid a 25% dividend to its backers, this being a return on investment, not a profit dividend.

Five 'ahead and back' boys got together in Philadelphia recently and admitted that among them they represented 160 years in show business. None has been on the job less than 25 years and two conceded they had been so occupied for 38 years, off and on. Latter are Mark Wilson, Shubert press agent there, and Ed Rosenbaum, representing Columbia pictures.

Others of the quintette: Harry Kli , company manager of 'You Never Know'; Tom Kane, agent for 'You Can't Take It With You,' and Al Spink, ahead of 'Pins and Needles.'

Nan B. Ray, wife of the late Whitaker Ray, is back in show business. She is interested in the Cumberland Hills Playhouse, formerly the Barn theatre, on the Lippitt Estates, at Manville, R. I., near Pawtucket. It will have a summer season of 22 weeks, opening May 2. First show will be 'The Warrior's Husband,' with Elissa Landi. Ruth Thane McDevitt, Bruce Conning and Edward Brown Yaran are the lessees.

Mrs. Ray was formerly identified with legit in Philadelphia

Libby Holman arrived in Pittsburgh Monday morning (18) to open in 'You Never Know,' and immediately went into a burn over a story appearing in one of the papers there which stated that she had once appeared in burlesque. Had the company manager phone the editor vehemently denying the statement and asking for a retraction, only to be informed by the sheet that the yarn wasn't written locally at all, but came direct from Shubert publicity department in New York.

Ernest McCauley will be one of the staff heads in the legit production organization which Lawrence Schwab will re-establish early in the summer on his return from Hollywood. He was treasurer for Schwab and Mandel productions, including the standouts 'Good News' and 'Follow Through.'

Was also manager of the 46th Street theatre during the run of 'She Loves Me Not,' which Schwab presented with the backing of Paramount.

Group of young actors and actresses were invited to cocktails last week to discuss strawhat plans with a man claiming to control both Buck Hill Inn and Skytop, resorts in the Pocono mountains, in Pennsylvania. Legiters showed up and were met by G-men searching for the host, who didn't show up. Gumshoes said the 'producer' is a notorious confidence man.

Robert ilton, who directed the Theatre Guild's production of Chekhov's 'Sea Gull,' is the son of Michael Davidov, who staged the first production of the same play at the Alexandrinsky theatre, St. Petersburg, in the 1890's. Original production was a 'complete failure,' according to the Guild's program. Milton changed his name from Davidov when he came to the U. S.

Therese Lewis and Hubbell Robinson of Young & Rubicam contribute a piece on the 'Decline of the Theatre Guild' to the current issue of Ken.

## WPA Al Fresco 'House'

Philadelphia, April 19.

Open-air little theatre, available cuffo to any group desiring to use it, has been constructed by the WPA in Fairmount Park here. 'House,' seating between 500 and 600, has a grass stage 40 by 60 feet with cedar trees as backdrop and wings, a terraced amphitheatre for the audience and a reflecting basin between the stage and the 'auditorium.'

## N. C. Drama Festival

Charlotte, N. C., April 19.

The Carolina Playmakers, which established at the University of North Carolina the first state supported theatre, will celebrate its 20th anniversary next spring with a southern regional conference and theatre festival.

Celebration will be held in conjunction with the annual state festival and tournament of the Carolina Dramatic Assn.

## Early Strawhats

(Continued from page 47)

kicks back at all. Those operating or set to operate under Equity regulations will be indicated with an asterisk in the accompanying listing.

Although still regarded as one of the few remaining sources of talent, cow sheds have not been productive of much talent during the past couple of years. There's training to be had, the hard way in stock, but little resulting, as film and legit scouts have repeatedly descried. Crop of tryouts and the number of same brought forth for later Broadway presentation has also diminished.

This year, however, the latter may be upped some. Since production coin has been scarce, producers have been wary, and the number of plays s on the main drag have been fewer. Therefore felt that there will be a greater number of worthy, though idling, manuscripts offered to the barns for the chance of producers seeing them on the boards.

### Last Year's Crop

Summer should also be good for the usual harvest of past season successes, such as 'Stage Door,' 'Room Service,' 'Yes, My Darling Daughter,' 'High Tor,' 'Father Malachy's Miracle,' 'Brother Rat,' 'The Women,' and similar productions with title value. Will mean some soft added cabbage for the authors' baskets. Season does not mean much to actors at any time, but does offer a meal ticket over the lean months and that one chance in a million of being spotted for better things.

Advent of the Federal Theatre projects has not hit silo stagers as hard as at first thought. Having grown bigger in the face of the FTP in recent summers, the cow-coops are not likely to shrink this stanza. On other hand, they may improve financially as well as numerically in view of the present economic condition. Not likely that as many boat trips, long haul jaunts, national park excursions, etc., will be taken by the carefully spending public this summer. Instead, hikes to the woods, farms, camps, etc., for those two weeks will bring them within reach of the barns.

Steady increase can be seen in glomming of last three years VARIETY records. In 1935 there were 500 actors listed as hayfooting in 104 theatres where 102 tryouts were seen. In 1936 the figures were 130 theatres, 600 actors and 75 tryouts. 1937 saw 145 theatres, 1,000 actors and 75 tryouts after the season closed. This was exclusive of semi-pros, students and groups, etc.

Although there are some who never get beyond the announcement stage, some who aim and miss, and others who drop off slowly, the present number of ballyed rustic coops is 49. There is a steady flow over two and a half months to go, and always a sudden rush to get into the picture.

# Guild's Secret Show Biz

(Continued from page 47)

which was formed a year ago and appeared in the short play, 'Bury the Dead.' Past year or so the Guild presentations have not been generally successful, and a trend to participate with others in production seems to be indicated. Whether that portends radical changes in the Guild setup remains to be seen, although plans for next season are fairly well under way.

Reported that subscribers passed up some of the not-so-good Guild presentations this season and many are flocking to the revival of 'The Sea Gull.' Latter's limited date and the willingness of the Guilders to pick up the unused subscriptions accounts for the heavy takings recorded by the Lunts in the Chekhov revival. Grosses are quoted above the $22,000 mark. Show is in its fourth week, with one more to go.

### Seventh Subscription Play

'Jitters' counts as the Guild's seventh production this season and catches up on its guaranteed schedule. Usually it produces six shows a season, but it was one short last season when 'Jane Eyre' failed to arrive on Broadway after a long road tour. Other shows presented this season have been 'Amphitryon 38' (also with the Lunts), 'The Ghost of Yankee Doodle,' 'To Quito and Back,' 'Wine of Choice' and 'Madame Bovary.'

Alfred Lunt and Lynn Fontanne were life-savers for the Guild, their showings in 'Amphitryon' and 'Sea Gull' attracting the only heavy grosses. Nothing unusual in that, however, since the pair have been the b.o. tops for the organization during recent seasons as well, with 'Taming of the Shrew' and more notably with 'Idiots' Delight.'

'Jitters' is billed as authored by John Boruff and Walter Hart, with revisions by Tom McKnight. Hart and Worthington Miner are listed as directors, although it is reported that Miner has dropped out as co-stager and is seeking billing as co-author on the basis of some script changes he suggested.

'Jitters' is the fifth show in Guild history to be given at subscriber previews, without the critics being invited. Others were 'The Dance of Death,' in the 1919-20 season; 'John Hawthorne,' in 1920-21; 'The Cloister,' in 1920-21; 'The ace with the Shadow,' in 1923-24, and 'Right You Are If You Think You Are,' in 1926-27. Latter show was later given at special matinees as substitute for 'Mr. Pim Passes By.'

### Guild-Mercury Plans

Guild has also arranged to sponsor the Mercury theatre's production of 'Five Kings' next fall on a subscription basis. It will rate as two shows on the subscriber list. Orson Welles will stage the production and the cast will be selected from the Guild player list as well as the regular Mercury company.

Two nights will be taken up with versions of 'Henry IV' (parts one and two), 'Henry V,' the three parts of 'Henry VI' and 'Richard III.' Cost of production will be shared by the Guild. Show may be toured before opening in New York in the fall. In that case it would be presented in repertory with the Mercury's 'Julius Caesar,' 'Heartbreak House,' 'The Shoemaker's Holiday' and 'Dr. Faustus.'

Fact that Maurice Evans has announced a production of 'Henry IV' for next season may indicate a battle of 'Henrys' looming.

Rumors that the Guild-Mercury association constituted a 'merge' of the two groups were denied by both organizations. It was pointed out that the Guild has in past seasons sponsored productions of several 'worth-while groups.'

## Equity-WPA

(Continued from page 47)

correspondence in the Equity files disclose any such deal.

Gillmore is not available for comment, being on a vacation cruise.

WPA's national policy board is stated to have mapped out plan for the road, mentioned to start within 30 days. Idea is to have communities subscribe to touring WPA productions which would be guaranteed expenses except for labor costs, meaning the major item of security wages.

WPA intends guaranteeing the showing of the best plays it has done in New York, Chicago and Los Angeles. WPA-ers say that if the plan works out, it would lead the way for commercial managers to spot their shows in the same stands, of which there may be as many as 200.

### No Order Received

Early this week WPA theatre project headquarters said the order to add 300 actors to the relief theatre list had not been received. Latest reports around that office is that the increase had been reduced. Actual figures were supposed to be for 330 additional people, the 30 being supervisory. That number is now said to have been cut to 220.

WPA-ers were somewhat disconcerted over the weekend by reports that an order had been issued to budget each person on the list to a maximum of $1,000 yearly. Relief outfit or so-called Federal Theatre Project pays the security wage of $103.40 monthly, or $1,350 per year. So the slice, if made, would be a 'drastic' reduction.

Complaints were immediately made against 'budgeteers' and it was believed the white collar projects would be weakened. Those affected would include the theatre, arts, music and writers projects. Claimed that costs other than those of wages have already been placed at an 'irreducible minimum.' On top of that it was announced that 24 white collar projects would be abandoned immediately, but they are outside the arts projects. People involved will be transferred and in most cases may receive less wages.

Whether the administrative section of the arts will be proportionately cut was not clear, but was presumed. It is hoped that the cuts, if verified, will not be effective until after this season. Those concerned with the road plan were of the opinion that 'existing localized activities' would not be curtailed.

# 49 Strawhats Set So Far

*(Asterisked spots indicate conformity with Equity regulations. Others may or may not; at this date, only tentative.)*

Asheville theatre, Asheville, N. C. Daniel Reed.

Young's Gap theatre, Parksville, N. Y.

•Berkshire Playhouse, Stockbridge, Mass., late June. William Miles.

Rochester theatre, Rochester, N. Y. Jack Shutz.

Doylestown, Pa. arry Holland.

Washington Square players, Cooperstown, N. Y., June 5. Eight weeks. Randolph Somerville.

Lake Mahopac, N. Y. David Fischer.

Carmel, N. Y. Robert Goodhue.

Barter theatre, Abington, Va. obert Porterfield.

Lake Skowhegan theatre, kowhegan, Me. Dorothy Rhodes.

Garrick players, Kennebunkp Me. Robert Currier.

Cape playhouse, Dennis, Mass., June 27, Raymond Moore.

Cumberland Hills playhouse, Cumberland Hill, 1., May 2. 22 weeks. Bruce Conning.

•Ridgeway theatre. ., June 27. Ed Massey.

Deertrees theatre, June. Jane Brader.

•Westchester playhouse, Mt. Kisco, N. Y., June 15. 10 weeks. Day Tuttle and Richard Skinner.

Opera House, Central City, Colo. ard Aldrich-Robert Edmund Jones.

Drew Memorial theatre, East Hampton, L. I., July 15.

New London players, New H., June 1.

Skaneateles theatre, Syracuse, N. Y., June 20. Virginia E. Franke.

Ann Arbor Festival, Ann Arbor, Mich., May 17.

Schreidner Institute, Kerrville, Tex., June 25. Nine weeks. Ramsey Yelvington and Clemon White.

Cochran, Steve-Olney, Md.

Cape playhouse, Cape May, N. llerd Gernhardt.

Nabnassett theatre, Westford, Mass., June 15. John Ferguson-Joseph Lawren.

Starlight theatre, Pawling, N. Y., May 30. 18 weeks. Maryvorne Jones.

Litchfield theatre and Litchfield Hills players (touring company), Litchfield, Conn., May 31. Charles O. Carey and Randolph Carter.

County theatre, rt Cutler.

Woodcliff players, Poughkeepsie, N. Y., May 21. 15 weeks. Lee Broadhur.

Cliff Self players, Auditorium, Peapack, N. J.

Paint shop, Somerset, Pa., July 5. ruce Hewitt.

Farragut players, Rye Beach, . ., June 3. Dorothy Crane-Donald Towers.

Wharf theatre, Provincetown, R. I., June 27. 10 weeks. N. McFee Skinner.

Theatre-by-the-Sea, Matunuck, R. I.

Reginald Goode players, Clinton Hollow, N. Y.

Hampton playhouse, Bridgehampton, L. I., June 27. 10 weeks. Edgar Mason.

Surry players, Surry, Me., Aug. 2. Four weeks. Sam Rosen.

Mohawk Drama festival, Schenectady, N. Y., July 12. Seven weeks. Charles Coburn.

•Country playhouse, Westport, Conn., June 20. 10 weeks. Lawrence Langner. (Alternates with Mt. Kisco, N. Y.)

Players Theatre, Inc., Clinton, Conn. June 27. Eight weeks. ichard Keene and Jackson Halliday.

•Elitch's gardens, Arnold Gentle.

Lakewood theatre, Skowhegan, ., May 15. 16 weeks. Melville Burke.

•Ogunquit playhouse, Ogunquit, Me., June 27. 10 weeks. Walter Hartwig.

•Municipal Opera, St. Louis, Mo. ichard Berger.

•Jones Beach, L. I., N. Y., also Randall's Island, N. Y. Fortune Gallo.

•Keene players, Keene, N. H.

•Green Haven Summer theatre, ., R. I. Stallard and Siebenthal.

•Gilbert and Sullivan theatre, ashington, D. C. F. J. Viola.

## Ann Arbor Announces Five Plays for Season

Ann Arbor, Mich., April 19.

Ann Arbor dramatic season announces five plays to run weekly from May 16 through June 18 under directorship of Helen Arthur. Robert Henderson and mother had conducted for eight seasons to last spring.

'Ghost of Yankee Doodle,' with Aline MacMahon, preems. Toni Selwart in 'Lilion,' Pauline Lord i 'Christopher Bean,' Doris Dalton in 'French Without Tears' and Jane Cowl in 'Rain From Heaven' follow.

## Szold to Stick at N. O.

New Orleans, April 19.

Bernard Szold has been re-engaged as director of the Little theatre here for a fourth season.

First time in the 20 years of the theatre's history that any director has been named for a fourth term.

# TMAT Tightening on Admissions, Spreading Work; Committees Busy

Theatrical Managers, Agents and has started tightening up on admi Almost every evening one of the committees is in session for the purpose of coordinating the various groups. Last riday (15) the board huddled most of the day and recessed until the evening in an attempt to catch up ith the work tossed in by the com-

separate groups any number of members claim qualifications to belong to more than one so-called r.' As yet none is known to claim the right to belong to all three, but a number of managers give ualifications to act as treasurers.

Some of the latter claim house and company qualifications and it has not been infrequent for company managers to act as press agents of shows, particularly on tour. Formerly when shows played stands of more than one week, the company manager was required to act as the publicity man also, but that is out under the TMAT rules.

**Trying to Spread Jobs**

roblem of segregating the members so that more can get a chance at jobs appears to be the principal plan of the union. Definite proof of qualification to more than one oup is being sought and demands considerable detail on the part of committees. There are rules for the press agents' group that some of the others who have been ahead and back are finding a handicap, but it is hoped that many kinks in the revitalized TMAT will be worked out on an equitable basis.

Admissions committee has turned down the applications of a number of persons believed to have the necessary qualifications. Rejection of one is said to have really been made by the ethics committee, set up to act as a sort of court. Applicant was accused of criticizing officials and policies of the union. Generally understood, however, that there are plenty of others whose ideas are not reconciled with those of TMAT.

**Nix Manager's Sec**

Another applicant was turned down after a producer recommended his acceptance. It was stated that the applicant had been the manager's secretary and that if he had been admitted to the union, the showman would not have had to engage a company manager.

Last week the union assigned pickets to the Bayes, a roof theatre where an amateur show opened and closed after one performance. Boxoffice people were not of TMAT and the same applied to the managerial staff. Another amateur presentation was slated for the Little, but cancelled after finding it necessary to engage a TMAT manager at $100. That was important money to the outfit, which also learned its specially-built scenery would have to be handled by union stagehands. Those items raised the cost of production being much higher than the budget of the amateurs allowed.

## Burleigh Will Direct Pitt Playhouse Again

Pit urgh, April 19.

Frederick W. Burleigh has signed another year's contract as director of Pittsburgh Playhouse, town's community theatre, at a sizable i crease in salary. Boost came as a result of Burleigh's showing here in initial season, when he pulled the civic enterprise out of the red for the first time since it's been in existence.

Policy during 1938-39 won't be altered, according to Burleigh, who will continue to use unpaid local actors until he can get a better line on nucleus for permanent resident repertory company. Six shows will again be presented, along with an original musical to cap the series.

Playhouse's finale, 'Hold Your Hats,' revue with sketches and songs by Charles B. Gaynor, opens tonight (Tuesday) for a four-week run, after which Burleigh will go to Cohasset, Mass., where with Alexander Dean he has co-directed South Shore Players for several years.

## Marshall Into 'Waltzes,' Replacing Mike Bartlett

Michael Bartlett will leave 'Three Waltzes' after this week in Washington, Everett Marshall replacing in Baltimore next Monday (25). Operetta recently closed on Broadway. It laid off Holy Week and in the interval a complaint was reported to have been filed with Equity questioning Bartlett's claim of illness as the reason he desired to leave the show.

When Marshall was found available the matter was dropped. Bartlett is said to have suffered from a throat irritation for some weeks.

# GEORGE M. MAY PERFORM ALL SUMMER

George M. Cohan will continue appearance in 'I'd Rather Be Right,' at the Alvin, N. Y., as long as he feels fit. That is somewhat dependent on the weather.

Star advised Sam H. Harris, producer of 'Right,' of his intention to play through the summer if possible. Chance of the show holding over has been a matter of speculation not only to the manager and authors, but to the players and staff.

'Right' is regarded as a cinch to run through the summer because of its far-flung press mention. That there is only one possible new summer musical is another reason why those concerned are rooting for its continuance. Only other current musicals are 'Hooray For What!' Winter Garden, nd 'Pins and Needles,' rated a freak little revue in a tiny theatre, Labor Stage, seating only 500 or less. Whether the former will go into the heated period is questionable. Now indicated that 'I Married An Angel' will come in, instead of Chicago.

There is a possi ility of a new sharing contract for 'Right' at the Alvin. Booking arrangement calls for the show to get a high percentage of the receipts. That was okay for the house when grosses were exceptional, but with the takings tapering, the house management is seeking a new deal.

There was some talk of moving 'Right' to the Music Box for the summer, as that house is being equipped with a new cooling system. However, the Alvin's large balcony may keep it where it is. Stated that the upper floor always sells out.

It is not the first time Cohan has played through the summer, having had two such periods in Chicago. He also played the New Amsterdam roof (formerly Ziegfeld's 'Midnight Frolic') during two summers.

Harris' plans for next season are now taking shape. George S. Kaufman and Moss Hart, book writers of 'Right,' are using the change of pace system of collaboration, having settled down to write a drama which will call for 125 people. There is a chance that Harris will get Irving Berlin's long projected revue, with Kaufman and Hart on the book end, as they will be for Max Gordon's musical, in which Harris will have an interest.

## Perelman Preps 'Serena'

Hollywood, April 19.

S. J. Perelman is New York-bound to start work on the book for 'Serena Blandish,' which will be given a Broadway production by Vincent Minelli.

Cole Porter has written the music.

## Prov's Stock Return

rovidence, April 19.

layhouse will go stock again in the middle of May. Ralph E. Snider, general manager, and Tony Romano, district manager, will be in New York tomorrow (Wednesday).

Trip is to line up plays.

## Current Road Shows

eek of April 18

**Abbey Players**, Lyceum, Minneapolis (18-20); Aude, St. Paul (21-23).

**'Brother Rat,'** dra, Toronto.

**'Edna, His** Otis Skinner), delphia.

**'Eye on the Sparrow,'** outh, Boston.

**'Golden** San ranciseo.

**'I Married an Angel'** (Dennis King-Vera Zorina), Shubert, Boston (19).

**'Julius Caesar,'** Milwaukee (17-22); Madison (23).

**'Man from Cairo,'** Boston.

**'Pins and Needles,'** Philadelphi

**'Room Service,'** cago.

**San Carlo Opera**, Lyceum, Minneapolis 21-23).

**'Star Wagon'** ( ith-Lillian Gish), ouse, Chicago.

**'Three Waltzes'** (Kitty Carlisle), National, Washington.

**'Tobacco Road,'** Hanna, Cleveland.

**'Victoria Regina'** (Helen Hayes), Melba, Dallas (18-19); Shrine Aude, Oklahoma City (20); Convention Hall, Tulsa (21-22); Forum, Wichita (23).

**'Women,'** Colonial, Boston.

**'Yes, My Darling Daughter'** (Florence Reed), Ford's, Baltimore.

**'Yes, My Darling Daughter'** (Lucille Watson), layhouse, Providence (18-19); Bushnell Aude, Hartford (20); Shu rt, New Haven (21-23).

**'You Can't Take It** Locust, Philadelphia.

**'You Can't Take It** Geary, San Francisco.

**'You Can't Take It** Hamilton (18-20); Buffalo (21-23).

**'You Never Know'** upe Velez-Clifton Webb), ixon, Pittsburgh.

# BALTO TO TRY STOCK WITH FEMME NAMES

It stock try in many years will get under way at the Auditorium April 25. Producer is illiam J. O'Neill, who will have local financing. Plans call for four weeks, with transient names in female leads. Philip Huston will be a permanent cast fixture. Arthur Sircom will direct.

Opener is 'High Tor,' with Jean Muir. Second will probably be 'They Knew What They Wanted' or 'Lysistrata,' with Blanche Yurka. Last set is 'Tonight at 8:30,' with Sylvia Sidney.

Auditorium is independently operated by Leonard 'Chum' McLaughlin, along with the Maryland.

# Value of Critics' Award to 'Mice' Will Be Tested Soon as Biz Has Been Off

Naming of John Steinbeck's 'Of Mice and Men' as the New York critics' choice of the best play of the 1937-38 season was not a surprise to insiders. Award favoring the vivid melodrama at the Music Box was made Monday (18) by the Critics Circle. Some weeks after the show opened at least three reviewers were reported to have indicated 'Mice' would get their votes for the plaque. At that time one or two potentialities had not opened, so there was a feeling in some quarters that the choice was 'in the bag.'

'Mice' was accorded that uniformly best set of notices this season, until the arrival of 'On Borrowed Time.' Latter show was then figured a strong candidate, except by those who were committed to the Steinbeck drama. 'Our Town,' frequently mentioned to cop, was not liked by several critics, but turned out to be the runner-up, getting four votes on the fourth and final ballot.

Among those who favored 'Mice' was George Jean Nathan, president of the Circle and drama-coverer for Scribner's magazine. Another was Richard Watts, Jr., of the N. Y. Herald Tribune, who had a proxy for Robert Benchley. Latter had gone to Hollywood and gave Watts permission to cast his vote for an lay he wished.

It required 12 of the 16 votes to decide the award and the winner got nine votes on the first ballot. 'Golden Boy' and 'The Cradle Will Rock' (closed) were among plays kept in the contest by one vote each. 'Susan and God,' top grosser among straight plays, and 'Borrowed Time' were not mentioned.

Value of the critics award will be tested severely this season because attendance for 'Mice' has been steadily slipping for the last two months. Had it not won the prize, the closing notice would probably have been posted. Last season, 'High Tor' was materially benefited by the award, the gross jumping about 60%.

It is the third prize by the critics. This season the best foreign play was also selected, it being 'Shadow and Substance,' the choice being unanimous. Play, at the Golden, N. Y., has been running at near-capacity.

# Expect Equity to Ease New Rules Governing Salary Cuts; Mgrs. Kick

Changes in the regulations governing salary cuts are likely to be made by Equity, following a session last week between a managers committee and the council. Showmen strenuously objected to the most recently adopted rule according to which a producer may not replace a player with one paid lesser money without assent of the cuts board. Tuesday (19), however, council decided to let the rule stand until given an adequate trial.

Even if that rule is not withdrawn, other revisions are expected to be made. Pointed out that Equity's cuts board did not have managerial representation. That can be easily remedied and it is intimated by association officials that there would not be objection to a managers' representative sitting in the cuts meetings as a virtual member of the committee. Equity said the managers had not asked for such representation before. In fact, it was stated, they appeared to accept the cuts rules without protest, or felt that nothing could be done about the matter.

Managers' view, however, is that the whole system of cuts as made by Equity is objectionable and that all showmen should not be penalized for the actions of the few. Some im that the cuts board seems to act as if it were doing the manager a favor, whereas in nearly all instances a salary reduction is made with the primary object of prolonging the engagement and therefore of benefitting the actor.

Equity concedes that the procedure may be objectionable to most managers and that some shows may have been taken off by showmen who would have preferred not disclosing the records and asking for favors from the board. Also stated that without exception requests for cuts from recognized managers hav been recommended. However, Equity cannot force an actor to take less coin than the contract calls for. He may either insist on the full pay if holding a run-of-the-play contract or may give notice.

**Managers Slant**

Managers' committee consisted of Brock Pemberton, Max Gordon, Marcus Heiman, Warren Munsell and St ley Gilkey. Gordon spoke his mind in no uncertai terms, saying in effect that Equity seemed to have lost its sense of proportion in adopting the protested rule and adding that if conditions are made any harder for producers, what little is left of show business will be killed?

Pemberton criticized the cuts rules in general and declared that the rule prohibiting replacements at lesser salary placed the managers at a disadvantage, since it stopped the manager from the same privilege accorded the actor in giving notice. Managers are solidly against having to go through the red tape of appearing before a board for the purpose of making one cast change and in that provision a revision of the rules will doubtless be made.

It was illustrated by the cas which caused Equity to put in the new rule, that exceptions could be made without detriment to the player. An actress who has been appearing in a Broadway presentation which is making run was asked to take a cut from $100 to $60. Show has dropped down to less than half its former grosses, but she refused and told the manager to follow the regular procedure. She was therefore given notice.

After passing the rule, Equity communicated with the manager, calling attention to the cuts rules and saying that a difference of $40 per week would hardly mean closing the show. Manager replied that if that was the way Equity felt about it, the original salary would stick and the notice was withdrawn.

In the case of the actress involved, however, it was explained she is o of the few members of that particular cast who is not on a sliding salary scale based on the show's receipts. That means she is almost th only one continuing to work at the original figure. Others of the cast have been automatically cut as the grosses dropped. All of which the manager explained to Equity.

## COAST 'GLORY'

San Francisco, April 19.

'Prologue to Glory,' current Fed-ral theatre hit in New York, will ave its first presentation outside of roadway at the Alcazar theatre by the local Federal unit.

## Laverne's 'Sun Up' In L. A. Week Stand

Los Angeles, April 19.

Taking advantage of a dark week at the Biltmore, Lucille LaVerne rushed her Coast road company of 'Sun Up' into the house for Easter week, opening Sunday (17). Opus, in which Miss LaVerne has been playing hereabouts for past dozen years, off and on, will stick for seven nights and a Saturday mati

House then goes dark again until 'Golden Boy' moves here from San Francisco.

# ONE-ACT RASH OFF THIS SEASON

Flock of one-act bills were promised for this season in legit theatres, but indicati that all such plans are off until next season. ive different outfits announced plans for the 'cycle,' believed to have been inspired by the success of Noel Coward's 'Tonight at 8.30' last season.

Selection of material and people was claimed to have caused delay of some of the proposed one-acter impresarios, while at least one admitted that the backing was withheld. Until conditions i rove the plan is cold in that case.

Among the first to announce the one-acters were Clarence Jacobson and Jack Dillion, who have closed their offices until the fall, at least. Eddie Dowling was primed to get on the one-act bandwagon, but recently announced the idea was set back. Sam Grisman also had the ideas and likewise dropped his plans indefinitely.

William Kozlenko, who publishes the 'One Act Play Magazine,' is still enthusiastic about the idea, but now dates a start in October, ich time he proposes an alliance with Grisman. Eugene Endrey, a Hungarian, went so far as to post a bond with Equity and was dated to be the first starter. That was several months ago and the plan is still waiting. Endrey outlined his show along continental lines, with a master of ceremonies. 'Chauve-Souris,' with the late Nikita Balieff, had that sort of setup.

One-act theatre, if it materializes, will be under Equity regulations because legit theatres and similar admission prices are to be used. That would mean eight performances weekly and no Sundays, except for extra pay.

# Plays Out of Town

## I MARRIED AN ANGEL

Haven, April 16.

Musical comedy in two acts, 12 scenes, from the play by John Vaszary; presented by Dwight Deere Wiman. Book by Richard Rodgers and Lorenz Hart. Staged by Joshua Logan. Music and lyrics, Rodgers and Hart; choregraphy, George Balanchine; settings, Jo Mielziner; costumes, John Hambleton; orchestrations, Hans Spialek; conductor, Gene Salzer. Stars Dennis King, Vera Zorina, Vivienne Segal, Walter Slezak; features Audrey Christie, Charles Walters. At the Shubert, New Haven, April 14-16, '38; $3.30 top.

Principals: Dennis King, Vera Zorina, Vivienne Segal, Walter Slezak, Audrey Christie, Charles Walters, David Jones, Durham Bros., Ilene Damur, Morton L. Stevens, Arthur Kent, Marie L. Quevli, Ruth Urban, Jonis Dremann, Marcella Howard, Agnes Asgar, Katherine Stewart, Barbara Towne, Sylvia Stone, Diana Gaylen, Althea Elder, Charles Laskey.

From all indications, Dwight Deere Wiman has his second click of the season in the making. His present musical should eventually equal the success of his current Broadway hit, 'On Borrowed Time.' Play has everything—in fact, so much of it that slashing excessive 40 minutes is a problem. There's little room for lopping of the book, but overlong ballets offer possibilities, however.

Musical, said to be a solo financial venture by Wiman, is one of the heaviest productions to play here in some time. Carries its own superimposed stage, with double treadmill for scene shifts. Stationary portals and coves form permanent bases throughout. Outfit runs to around three cars of scenery. Technical end of show went off exceptionally well at preem despite mechanical intricacies.

Despite a lot of stuff in this musical, it jells entertainingly. The idea is gained right off that it's going to be novel when opening curtain rises on a Venetian-blind effect and a couple of acrobats in full-dress do hand-to-hand stands in the middle of a Hungarian waltz by the ensemble. The novelty angle is made more certain as ballet numbers include a team of sled-pulling wolfhounds, a ski dance and some surrealist terpsichore, in which a sea god stands on a rock in the middle of the ocean, suspending a bicycle over his head.

Production hasn't gone to town in any single department at the expense of other angles. There's plenty of good music, a number of hefty laughs in the dialog and situations, a wide variety of A-1 dancing, some excellent vocalizing, solo and group, and a flock of flash throughout.

Wiman has assembled a capable cast, with headliners turning in swell performances. Dennis King, in generally good voice, exhibits a pleasing personality, clowns with the rest of 'em and even goes in for a bit of ballet. Vera Zorina will be no disappointment to the flock of fans she gained through her work in 'Goldwyn Follies' (UA). Girl works like a Trojan throughout (15 costume changes) and shows histrionic talent. Her serious ballets are works of art and her travesty terping in the surrealist ballet is good, too.

Vivienne Segal continues past good work, singing one of the show's tops, 'A Twinkle in Your Eye.' Also ducts nicely with King. Garners plenty laughs as Peggy, the ex-chorine of 'Blossom Time' who alibis broken dates with her lovers by telling them she'd been playing checkers with A. C. Blumenthal. Walter Slezak fits as the wealthy, but sappy, European playboy. Also comes in for a hand with a cooch dance takeoff.

Charles Walters and Audrey Christie team for some nifty dancing. Walters also clicks in a Charlie McCarthy hoofing number, and Miss Christie is a winner with a couple of vocals. An added vocal hit is turned in by a choir of seven girls in a musical interlude with Miss Zorina. Same crew scores with Dennis King in a novelty brewmaster burlesque.

George Balanchine's choregraphy helps the ballets, which Charles Laskey interprets effectively in conjunction with Miss Zorina and the corps de ballet. Score compares favorably with previous Rodgers and Hart work. Theme song, 'I arried an Angel,' has hit possibilities. Among lighter-vein clicks are 'Twinkle in Your Eye,' 'At the Roxy Music Hall' and 'How to Win Friends and Influence People.' 'Spring Is Here' is a pleasing ballad, and the choir number 'Angel ithout ings' also registers.

Jo Mielziner's sets and the lighting are outstanding. Joshua Logan's staging keeps the book paced at an entertaining speed, with few draggy moments. Story tells of Willy Palaffi, who refuses to marry anyone short of an angel. A heavenly inhabitant obliges by coming to earth and marrying him. Her ideal of adherence to truth and beauty gets her into hot water with Willy's friends, who are also the heaviest depositors in his bank. A run threatens, and Willy is about to be saved by a loan from the playboy when Willy's wife, Angel, slaps the former, mistaking a lesson in the rhumba for something more seductive. Harry, the playboy, calls off the loan and Willy's bank is on the verge of collapse when Angel changes tactics, wins Willy's friends over, gets the loan from Harry and lives happily e.a. with Willy.

Tentative plans call for stands in Boston (opening April 19); Philadelphi , Pittsburgh, Detroit, Chicago, a hot-weather lay-off and an early fall Broadway opening.

Mgt.: LOU CLAYTON
20th Century-Fox Studios, H'wood

## MAN FROM CAIRO

Boston, April 18.

Comedy in three acts by Dan Goldberg. Adapted from the French of Yves-Noe; presented by Michael Todd. Staged by Harry Wa taff Gribble. Settings, Frederick B. Fox. At the Wilbur, Boston, April 18, '38.

| | |
|---|---|
| Rudolph | Don Randolph |
| Louis | Charles Adler |
| Kornay | A. J. Herbert |
| Roszicka | Geraldine Kay |
| Istvan | Joseph Buloff |
| Janos | Richard Rauber |
| Bela | Frank Downing |
| Leni | Helen Chandler |
| Henri | Viola Roache |
| Teudi | Ann Thomas |
| Tailor | Jack Hasler |

In 'Man from Cairo,' by Dan Goldberg, Joseph Buloff again finds himself in a play that serves somewhat as a neutral background for his brilliant talents, as was the case in 'Quito and Back,' presented by the Theatre Guild on Broadway last season. Fortunately here he is starred, and his superb artistry lifts a fairly familiar plot to heights. Fortunate is he, too, in having the support of Viola Roache and Helen Chandler.

As Istvan, the alter-ego of a drab government clerk in Budapest, Buloff is a sophisticated man of the world, visiting fashionable cafes of society's upper crust one night a month, spending his secret savings above the salary his monotonous wife thinks he earns. But the rest of the year he is Leon, the clerk-in-the-rut.

On one of these dream-world excursions Leon, posing as Istvan, meets his dream woman, Leni (Miss Chandler). It takes only a short tete-a-tete to reveal to Leni that Istvan, though about 15 years her senior, is the one man who can lead her to escape from her own humdrum, but swank existence. When he flees the cafe she follows to learn his real identity.

The climax is the mending of this shattered illusion, ith Leni understanding. Leon more than ever determined to continue his periodic releases as Istvan, and his monotonous wife (Miss Roache) beginning to appreciate the value of his philosophy.

Success of the play, henceforth, depends entirely upon the public's recognition of a fine actor in Buloff. It's his first starring role outside the Yiddish theatre. Hollywood recognition seems likely.

Miss Chandler is consistently convincing, as is iss Roache, who becomes surprisingly shrewd when dealing with the romantic threat of a younger woman. Richard Rauber and Ann Thomas also click. Two sets by Frederick B. Fox are good.

*Fox.*

## Eye on the Sparrow

Boston, April 15.

Comedy in three acts by Maxwell Selser; presented by Girvan Higginson. Staged by Harry Ellerbe. Settings, Emeline C. Roche. Stars Catharine Doucet. At the Plymouth, Boston, April 11; $2.75 top.

| | |
|---|---|
| Philip Thomas | Montgomery Clift |
| Nancy Thomas | Katherine Deane |
| Freeman | Edgar Stehli |
| Roger Sanfor | arry Sullivan |
| Ted Strong | Philip Ober |
| Barbara Thomas | Catharine Doucet |
| Fejac Strode | Leslie King |
| Jim Wright | Perce Benton |
| Bastiean | Stiano Braggiotti |
| Florence Augden | Dorothy Francis |
| O'Mar | Francesca Lenni |
| Judge osea | Edward Fielding |
| Rent Collector | Ernest Woodward |
| First Moving Man | Lester Damon |
| Rug Man | Sandy Strouse |
| Neighbor | Adele Longmire |

Title is taken from a biblical quotati n about God watching over even the insignificant sparrow. Some guardian angel will be needed, apparently, to carry this innocuous little piece very far.

Catharine Doucet, as a fluttery, bankrupt society dowager is the hub of the plot's wheel, which rolls along a conventional rut from an uptown New York mansion to a Greenwich Village two-room apartment. As suspected from the start, the widowed Mrs. Thomas, despite her gaddings about and persistent extravagance, recoups enough of the family fortune in the last stanza to make the family's future look rather rosy at the final curtain.

This Garrison finish is accomplished by the sale of a $24,000 rug she didn't know she owned until the third act; and the marketing of a book by a protege (Leslie King) she brought back from her last trip to the Austrian Tyrol. The audience knew King, who plays Fejac Strode, had an important paper to show Mrs. Thomas in the second act, but he had to finally hide in her bathroom to get an audience.

Nancy Thomas, the daughter, goes to work as a sports clothes model; Philip, the younger son, tangles with communists, and Mrs. Thomas snares a judge as a prospective new family head, while the rug and manuscript are being sifted around in the unexciting plot.

First act is slow, second act is good in spots, and the third has several anti-climaxes. It's too much of a load for Miss Doucet, although she has some commendable support from Katherine Deane, as the daughter; Barry Sullivan, as the worthy young man, who marries Nancy; Francesca Lenni, as a communist; King and Edgar Stehli, who convinces as the sympathetic family retainer, digging into his own funds often to keep the Thomas household to ther.

The characters of the foreign writer and the femme rabble rouser could be developed further. A smart film producer could rework 'Sparrow' into a good B picture. Its limitations for legit have evidently been sensed by several Broadway producers, who have examined it and passed it along.

*Fox.*

## Shows in Rehearsal

'**The Two Bouquets**,' arc Connelly.

'**Gentleman Shave**,' Pierce Power- aters.

'**Lady at Large**,' Shuberts.

'**Heartbreak House**,' Mercury.

## Private Enterprise

ilmington, Del., April 18.

Drama in three acts (6 scenes) by Amory Hare (Mrs. Amory Hare Hutchinson); presented by W. Herbert Adams. Staged by Melville Burke. At the Playhouse, Wilmington, April 17, 1938.

| | |
|---|---|
| Dr. Schoenberg | ichard Barrows |
| Serracauld | Leslie Austen |
| Trevelyan | |
| Anna | Camilla Dalberg |
| Mary | Dorothy McMahon |
| Mr. Venable | Hammond Dailey |
| Jennings | Eduard Franz |
| Cruoden | George Macready |
| Mrs. Cr | Jessamine Newcombe |
| Mira | Mariana Flory |
| Dr. Berge | Charles Ashley |
| Schicke | Curtis Karpe |

Plenty of heavy hoke that fails to be convincing gives 'Private Enterprise' little chance. Main trouble is an overloading of theory and pseudo-science that doesn't get across and leaves the characters doing things for no clear reason.

Good old device of a 'professor's experiment' is used to get a half dozen temporarily deranged persons together in the home of an amateur philosopher, friend of the psychiatrist, at Salzburg. Plan is to let them find themselves by just living together quietly with all idea of medical treatment out.

Group includes an actor who can no longer act because of his derangement; a painter who can no longer paint, an octogenarian living in the past and afraid to die, a malcontent, and a woman pianist, whose amnesia will not permit her to play.

Solving the problem of any one of these would be stuff enough for a full play. One by one they find themselves, octogenarian by recapturing the past in his mind, malcontent by learning how to be unselfish, painter by being relieved of his wife, etc. All except Mira, the pianist, who needs love, quiet and rest. It's all unconvincing.

Mountings are expensive. Single drawing room set is distinctive. Capable cast handles the abstruse stuff probably as well as it can be handled. Mariana Fiory, as Mira, is impressive. J. Hammond Dailey, as the octogenarian, is standout. Goes to Philadelphia this week.

*Curt.*

## Joe Brown May Summer On Cape; 'Elmer' Repeat?

Hollywood, April 19.

If Joe E. Brown is able to complete his film commitments in time he will spend the summer at Cape Cod, where he will play the title role in the Playhouse's presentation of 'Elmer the Great.'

Screen comic created the part on the Broadway stage, and later did it in pictures.

## BERGER IN ST. LOO

St. Louis, April 19.

Richard Berger heads the staff (due here May 2) to start work for the 20th consecutive season of municipal opera, which opens in its open theatre, Forest Park, n June 3.

Berger is returning for his second year as production manager.

# Plays on Broadway

## WHAT A LIFE

Comedy in three acts by Clifford Goldsmith. Presented and staged by George Abbot. Setting, Cirker & Robbins. At the Biltmore, N. April 13, '38; $3.30 top.

| | |
|---|---|
| Miss Shea | Ruth Matteson |
| Mr. Nelson | Arthur Pierson |
| Student | Mitzi Miller |
| Student | Ralph Bell |
| Mr. Patterson | illiam Mendrek |
| Miss Eike | Edith Van Cleve |
| Bill | Eddie Bracken |
| Miss Eggleston | Mabel Turner |
| Miss Johnson | Kay Loring |
| Mr. Vecchitto | Daniel Ocko |
| Henry Aldrich | Ezra Stone |
| Barbara Pearson | Betty Field |
| Gertie | Elena Salvatore |
| Mr. Bradley | Vaughan Glaser |
| Miss Wheeler | Joyce Arling |
| George Bigelow | James Corner |
| Mrs. Aldrich | Lea Penman |
| Mrs. Ferguson | Jack Byrne |
| Students | Blaine Fillmore<br>arguerite Lodge<br>Teresa Keane<br>Isla Valle |
| Mary | Butterfly McQueen |

'What a Life' is the funniest play of the season.

George Abbott, the producer, is a specialist in staging mirthful shows, and the end of the season influences him not at all. Last year his 'Room Service' opened on the eve of summer, and is still on Broadway. an ager has had his downs this season, with three flops in a row before 'Life,' which is a one-setter, Abbott-geared so that it could turn a profit at moderate grosses.

New comedy is about high school kids, and it's spotted in the principal's office. There isn't much plot, nor is one necessary, what goes on having mostly to do ith one of the most amusing 16-year-old boys in Central High, Henry Aldrich on the roster, but Ezra Stone in the flesh. He was one of the lads in 'Brother Rat,' Abbott's laugh show about youngsters in a military academy.

Henry is always getting jammed up, and at the opening is sent to the principal for discipline. He was supposed to read 'Hamlet,' but had gone further than act one, scene one. Instead of scaning his Shakespeare, Henry spent the time drawing caricatures, specializing on the principal himself and the history teacher.

The lad is in a dither about the school dance, needing two dollars for tickets and incidentals, so that he could take Barbara Pearson, a sweet schoolmate, who thinks Henry the funniest boy she ever met. His mother promises the required coin if he passes the Roman history exam at the head of the class, but, because he pulled a fresh boner, Mr. Bradley, the principal, marks his paper zero.

Somebody cops half the band instruments, which are found by a detective in a hock shop. The pawn slip is also picked up bearing Henry's name, and it looks bad for the boy until the real culprit is discovered. The serio-comic manner in which young Stone plays Henry and his shy affection for Barbara endears the character to the audience.

But there are other amusing kids and people. Betty Field, as Barbara, has her innings; Jack Byrne, as the dick, who dryly comments on the 'poetry' he saw on the washroom walls, draws some solid laughs; Ruth Matteson, as the secretary, and Arthur Pierson, as the assistant principal, who are romantically linked, are valuable in the excellent cast. Eddie Bracken's Bill, an excitable student; Vaughan Glazer's strict Mr. Bradley; Lea Penman, as Henry's mother, stand out, too, while Butterfly McQueen, a colored youngster, with a few lines, is also present. Then there are some other Abbott favorites—Edith Van Cleve and Joyce Arling. But it's Stone's show.

*Ibee.*

## THE CIRCLE

Revival of comedy in three acts by W. Somerset Maugham. Presented by William A. Brady. Stars Tallulah Bankhead, Grace George. Staged by Bretaigne Windust. Setting, Donald Oenslager. At the Playhouse, N. Y., April 18, ' ; $3.30 top.

| | |
|---|---|
| Arnold Champion-Cheney | ramwell Fletcher |
| Spaulding | May Marshall |
| Mrs. Shenstone | Audrey Ridgwell |
| Elizabeth | Tallulah Bankhead |
| Edward Luton | John Emery |
| Clive Champion-Che e | Cecil Humphreys |
| Henson | James E. Corbett |
| Lady Kitty Champion-Cheney | Grace George |
| Lord Porteous | Dennis Hoey |

By bringing back Somerset Maugham's 'The Circle,' William A. Brady gracefully compliments his wife, Grace George, co-starred with the alluring Tallulah Bankhead. He could not have chosen a frothier play for her reappearance.

It was originally presented here by the Selwyns in 1921, following a successful London start, and served principally to bring back John Drew and Mrs. Leslie Carter. 'The Circle' was no wow, but it served the purpose very well, and the Broadway stay (at the Selwyn) was for about five months.

Maughham piece is described as a cynical comedy. It may have seemed somewhat daring 17 years ago, but, strangely enough, it doesn't seem dated. Impression is that retaigne Windust, who handled the present staging, also touched up the lines here and there, but in the main it looks close to the original text.

Story deals with the English drawing room society that doesn't have to wor about material matters. Wife of a former Member of Parliament had eloped with his best friend, leaving behind a five-year-old son, and had lived in Florence for 30 years, still unwed, since the man's wife refused to divorce.

Same situation is about to repeat itself. Rather priggish son, also in politics, is wed to a charming woman for three years, when she falls in love with a chap who can give her none of the luxuries to which she has become accustomed. Maugham has something to say about the sanctity of marriage vows, but really means that love alone is important.

In the revival the feminine stars stand out. Miss George is splendid, while Miss Bankhead makes a lovely young wife, originally played by Estelle Winwood. Dennis Hoey has the Drew part, that of a crusty old fellow, with Cecil Humphreys handling Ernest Lawford's. John Emery, as the lover, and Bramwell Fletcher as the husband about to be abandoned are fair.

*Ibee.*

## THE WILD DUCK

Comedy in two acts (four scenes) by enrik Ibsen, new version by Henry Forbes; staged and presented by Forbes. Settin , Samuel Leve. At the 49th Street theat N. Y., April 15, '38; $2.20 top.

| | |
|---|---|
| Gina Ekdal | Jane Lyon |
| Hedvig | Arlene Haber |
| Old Hedvig | dgar Henning |
| Hjalmar Ekdal | Emerson Russell |
| Gregers Werle | William Challee |
| Relling | Traver Hutchins |
| Molvik | Allen Hamilton |
| Werle | Eric Franson |
| Mrs. Sorby | yrtle Miller |

Just one of the indiscretions of a Broadway spring. If any production can be entirely without merit, this Henry For s revival achieves that dubious distinction.

Play is a so-called streamlined version of Ibsen's caustic satire. It's in two acts instead of the original five. However, it still seems the longest play that ever drove an audience to slow distraction. It's been emasculated so that it's without incident and devoid of interest.

Direction is just as painfully inept. There's little action, pace or semblance of reality. Players appear as if in a trance, meandering about the stage and muttering inaudibly. Not one seems to have more than a vague notion of what the play is about. One of the most surreptitious performances that ever escaped Broadway notice.

Maybe the whole thin never even happened.

*Hobe.*

*(Closed Saturday (16) after three performances; printed for the record.)*

## Merry Wives of Windsor

Revival of comedy in two acts by William Shakespeare; presented by Robert Henderson and Estelle Winwood. Staged by Henderson. Settings, Howard Bay. At the Empire, N. Y., April 14, '38; $2.20 top.

| | |
|---|---|
| Shallow | orace Sinclair |
| Slender | Albert Carroll |
| Sir Hugh Evans | dward Harvey |
| Master Page | J. W. Austin |
| Sir John F. | Louis Lytton |
| Bardolph | Philip Dakin |
| Nym | Maury Tuckerman |
| Pistol | La Roi Operti |
| Anne Page | Ann Pendleton |
| Mistress Ford | Joan Storm |
| Mistress Page | Estelle Winwood |
| Simple | Charles Henry |
| Mine Host | Ainsworth Arnold |
| Robin | Buddy Buehler |
| Rugby | Cliff Heckinger |
| Dame Quickly | Effie Shannon |
| Dr. Caius | Peter Brocco |
| Master Fenton | illiam Post, Jr. |
| Master Ford | Henry Mowbray |
| A Servant | Frank Parish |

Men and Women: Mae Noble, Henry Kline, Jessie Graham, Judith Alden, Edith Campbell, Lex Barker, Ruth Belmore, Ludmilla Toretzka, Carrie Bridewell, Polly Kloch, Marguerite Tebeau, Ada Humphries, Clara Cubitt, Helen Ray.

| | |
|---|---|
| Young Man and Woman | Solon Harger<br>harlotte Maye |

One irreverent observer, alluding to 'Wives' as one of Shakespeare's early turkeys, seems to have found an apt description of the revival. It's not long for the boards.

Robert Henderson who is better known in midwest show circles, and Estelle Winwood, who are presenting the piece, were partners in the tour of 'Tonight at 8:30,' which earned a fair profit. Apparently, they wished to present something on Broadway, but for some reason did not attempt a repeat date with the Noel Coward playlets.

'Wives' is a caper but the actors seem to have more fun than the audience. Sir John Falstaff is the big, bad man this time and when he is supposed to emerge from the Thames his cloak actually drips water. Louis Lytton plays the rotund lover and recalls that the author did not think that frustration was so serious a matter as it is now regarded.

Miss inwood, as Mistress Page, and Joan Storm, as her sidekick, Mistress Ford, have the principal fun with Falstaff, especially when they stuff him in the dirty linen hamper. Among those present are Albert Carroll, who plays Slender straight, and Effie Shannon who, as Dame Quickly, has a more animated part than in her last several seasons.

*(Closed Saturday (16) after four performances; rinted for the record.)*

*Ibee.*

# 'Star Wagon' Starts at $7,500, Chi; 'Room Service' Winding Up, $6,000

Chicago, April 19.

Only two shows, 'Room Service' and the new entry, 'Star Wagon,' last week. Latter came in Tuesday (12) and managed to buck the situation to a satisfactory take. 'Service' is nearing the end of its run, according to last week's money indications. Seems that the George Abbott show waited too long before coming to town.

Set for the Grand on ay 1 is 'You Never Know,' which is about the town's only real expectation for the near future. 'Three Waltzes' possible for the Erlanger, with the Harris still waiting for a show.

**Estimates for Last Week**

**'Room Service,'** Selwyn (8th week) (1,000; $2.75). Holy week kept 'em away and the show limped in with $6,000; figures on a comeback.

**'Star Wagon,'** Grand (2d week) (1,300; $2.75). Had a five-day week and with the pre-Easter did well to garner $7,500 for the abbreviated session; figures for near sell-out for final two weeks, with advance strong.

**WPA**

**'Big White Fog,'** Great Northern. Getting big Negro play for this colored unit show.

**'Great Barrington,'** Blackstone. Out shortly; to be followed by 'Spirochette,' listed as history of syphilis.

# 'WOMEN' PRETTY $17,000 IN WASH.

ashington, April 18.

ax Gordon's 'The Women' (road company) last week fared well but not quite up to hopes. Combo of Holy Week and review or two which pointed out shortcomings of company kept some of the seats empty.

Current is 'Three Waltzes,' with 'Yes My Darling Daughter' due in next Monday (25).

**Estimate for Last Week**

**'The Women,'** National (single week) (1,698; $2.75). Short of expectations, but still held to approximately $17,000, fine.

# 'DAUGHTER' PICKS OFF SNAPPY $13,500, PITT

Pittsburgh, April 19.

Old Holy Week bugaboo went into discard here when the Nixon brought in 'Yes, My Darling Daughter' last week. First time in years the legit chanced a show during this stanza and may mean the end of Holy Week as a dark-session fixture.

Nixon currently has 'You Never Know,' first musical in more than a year. 'I Married An Angel' May 9 definitely finishes the house this season, with the return of 'Tobacco Road' (fourth time here) and 'Three Waltzes' coming in ahead of it.

**Estimate for Last Week**

**'Yes, My Darling Daughter,** Nixon (single week) (2,100; $2.75). Broadway click got off fast with ATS subscription backing and held right down the line to come through with slick $13,500.

## 'Angel' Mild $9,000, 4 Times, New Haven

New Haven, April 19.

Dwight Wiman challenged the Holy Week jinx by opening his new musical, 'I Married an Angel,' here Good Friday weekend. Results were only so-so, despite swell comments and a virtual rave notice.

Only two more shows on the books. Yes, My Darling Daughter' in for current last half (21-23), then a return date of 'You Can't Take It ith You' for next week (25-27). Preem of Milton Shubert's 'Lady at Large' penciled, but not definite.

**Estimate for Last Week**

**'I Married an Angel,'** Shubert (1,700; $3.30). Four performances got close to $9,000, fair.

## 'FROME' $7,000, DET.

Detroit, April 19.

alter Hampden, always a fave here, couldn't buck Holy Week at the Cass, last week in 'Ethan Frome.' House is dark currently, but reopens Saturday (23) with Porter's new musical, 'You Never Know.'

**Estimate for Last eek**

**'Ethan Frome'** Cass (single week) (1,400; $2.75). Tepid $7,0 ; not too bad, however, in view of situash.

## 'BROS.' $1,600, BUFF.

Buffalo, April 19.

Maurice Schwartz's production of 'Brothers Askenazi' pulled a good $1,600 for one performance last Wednesday (13) at the Court Street theatre here.

## Road Legit Grosses

**Estimated total grosses last week** .......... $101,700

*(Based on 11 shows)*

**Total grosses same week last year** ........... $181,000

*(Based on 14 shows)*

# 'TAKE IT' $12,200, 'BOY' $10,000, S.F.

San Francisco, April 19.

Town has two shows at present and they're both pulling nice business. In the face of Holy Week's traditional slump, last week's grosses were surprisingly good.

Helen Hayes is booked for the Curran beginning May 16, and may offer her 'Merchant of Venice' production as well as the regular 'Victoria Regina.'

**Estimates for Last**

**'Golden Boy,'** Curran (1st week) (1,771; $2.75). Considering big biz slump, can't complain at the take of $10,000 for si ights and two matinees.

**'You Can't Take It ith You,'** Geary (3d week) (1,550; $2.75). Great going at $12,200; engagement may be extended from five to seven weeks; extra performances Sunday nights.

**WPA**

**'Judgment Day,'** lcazar (1st week) (1,269; $1.10). iz is very good.

# Theatre Council Plans Hazy; No Powwow Before Late Summer, If Then

Plans of the American Theatre Council appear to be hazy. If a second annual convention is held, the huddle will not come until late summer. May, of last year, saw a four-day session, during which many plans for the welfare of the theatre were discussed and some activities were started.

Frank Gillmore, then head of Equity, and Paul Turner, its attorney, were most active in the ATC, but neither devoted much time to it during the winter and both are now away on a vacation cruise.

They may return, however, with new ideas for improving the legit theatre. One of the ideas which seems to have been lost in the shuffle was the staging of a drama festival this spring. ACT wanted some sort of ticket control plan worked out by the managers and that matter is being mulled by the League of N. Y. Theatres and Equity.

Most consistently active of ATC projects is the audition committee headed by Antoinette Perry. Virtually every week performances are quietly given in some Broadway house on an off-matinee afternoon. Principal idea of the committee is to develop new talent.

Committee to name the five winners of the $1,000 John Golden fellowships for promising young playwrights has also been active. Its selections are expected to be announced within the next couple of weeks.

## INDPLS. GETS 2 MORE

Indianapolis, April 19.

English Theatre, already locked up for the season, will reo n for two more dates. Abbey Palyers move in May 2 for two evening performances and matinee, during which they'll present 'Playboy of the Western World,' 'Far Off Hills' and 'Juno and the Paycock,' at $2.20 top.

'You Never Know,' is booked for three evening performances and matinee latter part of May.

## ENGAGEMENTS

Benedict MacQuarrie, illiam F. Schoeller, 'Lady at Large.'

Robert Chisholm, 'Two Bouquets.'

Eustace Wyatt, Geraldine Fitzgerald, 'Heartbreak House.'

Albert Bergh, Frank Gould, George Mathews, Maurice Wells, Irene Cattell, Dorothy Littlejohn, Ellen Hall, 'Escape This Night.'

Elizabeth H. Wilde, E. J. Junkall, Ivan Triesault, Lionel Ince, Roland Hogue, Hope Landin, Dave Mallen, Ben Laughlin, Robert J. Mulligan, William Sanders, 'Gentlemen Need a Shave.'

# FOUR CURRENT, PHILLY; TOWN DARK LAST WEEK

Philadelphi , April 19.

Philly's legit theatres relighted with considerable fanfare last night (Monday), when four shows bowed in. Next Monday (25) the Walnut, formerly regular legit but Jewish repertory, gets 'Broth shkenazi,' which might count th entry.

Current crop of shows includes Cornelia Otis Skinner in 'Edna His Wife,' at the Forrest this week only; 'Private Enterprise,' tryout at the Erlanger, written by Amory Hare, local author, indefinite; 'Pins and Needl ,' garment workers' union revue, at the Chestnut, and 'You Can't Take It With You,' a return, playing at the Locust.

Following 'Brothers Ashkenazi,' the next legit booking will be 'I Married an Angel,' skedded for one week at the Forrest, starting May 2. Following week (9), the Erlanger is getting another return of 'Tobacco Road,' and the Forrest announces 'The Star Wagon' for ay 16. That's the crop.

# FLAY GILBERT OUSTER BY FTP

San Francisco, April 19.

Ouster of Walter Gilbert as director of the Federal theatre productions at the Alcazar theatre has stirred up a row here. Following the unexpected appointment of Allen Williams as his successor, members of Equity connected with the project held a mass meeting. Williams was formerly assistant director of the Lobero, Santa Barbara.

Petition of protest was signed by an asserted 99% of all actors, stagehands, electricians and other employes in the Federal theatre group. For the past veral months Gilbert has been directing the FTP here with considerable success.

Government actors contend that during Gilbert's regime as director he has done more towards improving the morale and efficiency of the FTP here than any director or any group since the project started in San Francisco.

Protest was sent to Mrs. Farnklin D. osevelt and FTP heads in Washington, Los Angeles and San Francisco.

# 'DAUGHTER' CURRENT; BALTO STOCK OPENS

Baltimore, April 19.

'Yes, My Darling Daughter' is currently at Ford's, with a good mail order and advance sale under its belt. Next week has 'Three Waltzes' set for Ford's and the opening of the new spring stock company in 'High Tor' at the Auditorium.

Stock company is in for four weeks, will follow the Anderson play with 'Tonight at 8:30,' with Sylvia Sydney and 'Lysistrata' featuring Blanche Yurka. 'High Tor' leads are Jean Muir, Philip Huston and Margaret Barker. Rest of company includes John Drew Colt, Byron McGrath, Kenneth Treseder, Jackson Halliday and Gordon Richards. Arthur Sircom directing and Arthur Fitsch doing the sets.

## Balto's Paint 'n' Powders Break Own Traditions

Baltimore, April 19.

Paint and Powder Club, local socialite dramatic group, will this year for the first time in its long history, present a play not written by a member. ill also depart from tradition by having femme talent.

Opening a three day engagement Thursday (21) at the Maryland, with receipts earmarked for local charity, bluebookers will do 'Follow Thru,' staged by Arthur Seelig and Phil Farley. One of interpolated features planned is a performance of hit tunes from its 1910 production, written by the late A. Baldwin Sloane, who later supplied the scores for several Broadway musicals.

## 'MULATTO' 2½G, B'KLYN

Brooklyn, April 19.

Second stanza of 'Mulatto' at Werba's Brooklyn last week was n. s. g. Current opus is tagged 'Sex for Sale.'

Other legit activities hereabouts include showing of Maurice Schwartz's 'Brothers Ashkenazi' at Parkway theatre. Majestic planning to reopen next Monday (25) wit George Abbott's Broadway production of 'Brother Rat.'

**Estimate for Last eek**

**'Mulatto,'** Werba's Brooklyn (2d-nal week) (1,500; $1.10). ull $2,500.

# B'way Grosses Not Bad as Expected, But More Holy Wk. Alibis Than Ever 'What a Life' Appears Newest Hit

## B'way Legit Grosses

**Estimated total grosses last week** .......... $226,500

*(Based on 23 shows)*

**Total grosses same week last year** ........... $301,

*(Based on 24 shows)*

Holy Week on Broadway was never anything but light. But this time there were more alibis than ever, with no less than five reasons offered for why attendance dropped. In addition to the penitent period they were: record mild weather, Jewish Passover, President Roosevelt's speech Friday night (15), State income tax deadline, which was put over until Monday (18) because of the holidays.

Business was not down to the 'worst' level, as first claimed, but receipts drawn by some presentations on the road were a great deal better. 'The Women' got $17,000 in Washington; 'Yes, My Darling Daughter' grossed $13,500 in Pittsburgh, while 'You Can't Take It With You' fared well in San Francisco at better than $12,000 for the third week. In New York the average decline from the previous week for straight shows was $2,000. Musicals went off more.

Indicated new success is 'What a Life,' at the Biltmore. It debuted at midweek with a generally strong press. Not until Saturday (16) did the agencies get many calls, but trade then was lively. Laugh shows have been so rare this season that 'Life' figures to be a natural.

Current (Easter) week is expected to be the final strong gross period of the season. All shows except the musicals have one extra matinee, with one ('Golden Boy') doing two. Monday (18), however, saw a bad start, nine matinees being played to disappointing attendance, while night trade was sloughed by drenching rain in the late afternoon. Those shows spotting the added afternoons later in the week should benefit. Many kids and teachers are in town, but college and private school students have gone back to classes. Incidentally, it is the big week for the Ringling, B. & B. circus at Madison Square Garden, with free courtesies cut off.

Closing this week are: 'The omen,' Barrymore: 'Brother Rat,' Ambassador, and 'Shoemaker's Holiday,' which will be supplanted at the ercury by Heartbreak House' next week. 'Eye on the Sparrow' comes to the Vanderbilt .... week. 'Merry Wives of Windsor,' Empire, and 'The Wild Duck,' 49th Street, two revivals which came late last week, expired Saturday (16).

**Estimates for Last eek**

**'All the Living,'** Fulton (4th week) (D-913; $3.30). Said to be climbing; affected somewhat during Holy Week, but figured to top indicated $7,500 level.

**'Bachelor Born,'** Lyceum (12th week) (C-957; $3.30). ith the list traditionally diving just prior to Easter, takings not as much affected as thought; straight shows off around $2,000; over $8,000 here last week.

**'Brother Rat,'** Ambassador (70th week) (C-1,156; $2.20). inal week; goes to Brooklyn for indefinite stay; while not heavy grosser made long run to profit; recent pace under $5,000; average over $8,500.

**'Escape This Night,'** 44th Street (opens Friday—22) (D-1,323; $3.30). Presented by Robinson Smith; written by Robert Steiner and Leona Heyert.

**'Golden Boy,'** Belasco (24th week) (C-1,000; $3.30). One of the most consistent draws of the season and indefinite; affected same as others last week; but bettered $10,000.

**'Hooray for What,'** Winter Garden (20th week) (M-1,671; $4.40). Dropped as much as ' ather Be Right,' with last week's takings approximating $17,000; should bound upward this week; extra space ads.

**'I'd Rather Be Right,'** Alvi (24th week) (M-1,355; $4.40). This week should see best jump in takings for Broadway leader, which went off to around $20,000.

**'Of Mice and Men,'** usic Box (21st week) (D-1,019; $2.75). May pick up with critics prize award; has been slipping for some time; last week down around $5,000 or under.

**'On Borrowed Time,'** Longacre (11th week) (D-1,019; $3.30). Should easily come back from pre-Easter easing; has been cleaning up; last week estimated around $15,000.

**'Once Is Enough,'** Miller (9th week) (C-944; $3.30). Proportionate drop here placed the gross at $9,500; popular comedy aimed into arm weather.

**'Our Town,'** Morosco (11th week) (D-961; $3.30). Had been climbing last week's $11,000 considered exceptional; previous week saw that level with two performances out.

**'Room Service,'** Cort (48th week) (C-1,064; $3.30). Partially reduced scale on lower floor helped run comedy to hold previous week's pace; $6,500.

**'Schoolhouse on the Lot,'** Ritz (4th week) (C-918; $3.30). Management claims new comedy has earned some operating profit; experimenting with Sunday performances; figured to move up from $6,000 mark.

**'Shadow and Substance,'** Golden (12th week) (D-789; $3.30). Saturday night performance canceled when star (Cedric Hardwicke) was ill; over $10,000, however; resumed onday (18) matinee.

**'Susan and God,'** Plymouth (28t week) (CD-1,106 $3.30). Strong Friday and Saturday, recouped earlier offishness with drop on week somewhat less than most others; $15,000 claimed.

**'The Women,'** Barrymore (68th week) (C-1,048; $3.30). Final week; long stayer again around $11,000 and figures to clean up this week; if so, may tarry.

**'Tobacco Road,'** Forrest (227th week) (C-1,107; $1.65). Down around $4,000 mark; but run leader has always pulled good share of holiday coin and improvement pretty sure this week.

**'You Can't Take It With You,'** Booth (70th week) (C-708; $3.30). Has been under $10,000 only twice previously, but looks cinch to come back; $8,500.

**'What a Life,'** Biltmore (1st week) (C-991; $3.30). Drew rather strong after mid-week start fair business; $6,000 in five times looks promising; better line this week.

**'Whiteoaks,'** Hudson (3d week) (D-1,094; $3.30). Affected to some degree, but new drama figured for successful engagement; last week about $9,000.

**Added**

**'Pins and Needles,'** Labor Stage (18th week) (R-500; $2.75). Show is profitable venture for trade unionists; revue in small house claiming capacity; with Sundays approaches $9,000.

**'The Fireman's Flame,'** American Music Hall; beer hall meller.

**Revivals**

**'The Circle,'** Playhouse (opened Monday-18) (C-879; $3.30). Presented by William A. Brady with name cast.

**'Merry Wives of indsor,'** Empire. Yanked Saturday (16) after four performances; press laced it.

**'The Wild Duck,'** 49th Street. Opened Friday (15) and got even worse panning; taken off Saturday (16).

**'The Sea Gull,'** Shu rt (3d week) (D-1,387; $3.30). Standout among the more recent revivals; has been topping $22,000 with not much variance last week.

**'Julius Caesar'** and **'Shoemaker's Holiday,'** Mercury (23d week) (622; $2.20). Latter show goes off this week after playing 69 performances on alternating schedule; will be replaced by 'Heartbreak House' next week; pair drew $5,500 last week.

**'A Doll's House,'** Broadhurst (16th week) (1,116; $3.30). Final week; did fairly well, but recent pace only around $6,000.

**WPA**

**'Trojan Incident,'** St. James; du to start tomorrow (Thursday).

**'One Third of a Nation,'** Adelphi; still doing very well.

**'Prologue to Glory,'** regarded.

**'Haiti,'** Lafayette, Harlem.

# 'BROTHER RAT' $6,000; 'ROAD' CURRENT, CLEVE.

Cleveland, April 19.

'Brother Rat' managed to survive the Holy Week doldrums surprisingly well at the Hanna last week. John Barton's 'Tobacco Road,' current, looks like sweeter biz, according to advance sale. 'Julius Caesar' is on the calendar for ay 2, followed by Abbey Players and then the Hermit Club, civic group, is taking over house for a four-day satirical revue. Cole Porter's 'You Never Know' due May 30.

**Estimate for Last Week**

**'Brother Rat,'** Hanna (single week) (1,435; $2 top). Although a repeater, comedy was well liked. $6,000 in tough week.

## 'TAKE' 4G, LONDON, ONT.

London, Ont., April 19.

'You Can't Take It With You' pulled out of London last Saturda (16) after playing two matinee two nights at the Grand theatre the tune of $4,000.

Matinee prices went to evening to $2.

**Frisco Guild Strike Averted**

Northern California Newspaper Guild signed a one-year contract with the San Francisco-Oakland Publishers' Association on Easter Sunday coveri wages and working conditions on five newspapers. Contract covers about 600 commercial and editorial department employees on San Francisco's four dailies and one in Cakland.

Guild shop was not part of the contract. The signing of an agreement relieves the possibility of a strike. Vote was taken on March 27, and strike threatened since. This is the first contract negotiated in a major city on an industrial basis, including all departments organized by the Guild.

N. Y. Guild concluded its first commercial negotiations last week when it signed a Guild shop contract with the Daily News. Added cost of payrolls is estimated at $150,000 annually.

**Sinclair Lewis Hides Out**

Burton Rascoe will take over the book comment in News-Week heretofore handled by Sinclair Lewis. Rascoe recently retired from Esquire after a tiff with publishers regarding Ken. Lewis, is leaving to hide away in the Berkshires where he will take a crack at a new novel. Understood to be annoyed by the handling of his last book by cricks and expects to write one so good it can't be panned.

Despite unsympathetic treatment from press 'Prodigal Parents' enjoyed a substantial sale, especially in the west and mid-west.

**Under No Obligation**

Philly Inquirer, in a battle with Jerry Nugent, prez of Phillies National League baseball team, took up all the season passes issued to its employees by the club and sent them back last week. Almost 100 of the valued ducats were returned.

Trouble started with series Inq has been running on what's wrong with the Philly ball clubs. Perry Lewis, who has been writing the stories, claims fans have been getting gypped because owners have been more anxious to make peanut profits out of selling good players than to build up good teams.

Nugent, angered by the criticism, is understood to have let slip some remarks concerning how badly the papers treat him after he gives out all those passes, too. Figuring to take the wind out of his jib on that score, the Inq sped his Oakleys back to him.

**Providence Trib Looks Doomed**

Barring unforeseen circumstances The Providence Tribune will fold May 2. Members of the staff have been given notice of the impending shutdown.

Passing of The Tribune marks the last act of the drama which opened with Walter E. O'Hara's purchase of the Providence News-Tribune early in 1937. O'Hara found the paper a valuable ally in his fight to retain control of Narragansett Park, but it also proved his downfall. His fight with Quinn led to a number of libel suits and eventual use of the militia to prevent opening of Narragansett Park. O'Hara later made public apology for his alleged libelling of Gov. Quinn.

Closing of the track cut off O'Hara's chief source of revenue and eventually forced him to put the Star-Tribune into receivership. Early in December the Providence Journal Co. took over the paper and operated it as The Tribune.

**Sarcasm From Mr. Cerf**

'Random House announces the formation of the Hitch-Your-Wagon-to-a-Star Book Club. Members have only to buy four books of two cent stamps a year, whereupon they will receive as a dividend, the Encyclopedia Brittanica, a Gutenburg Bible, and a weekend with their favorite movie star.'

Above is an excerpt from a satirical release sent out by Bennett Cerf from Random House to book editors last week similar to the chitchat and trivia which usually goes into a publisher's weekly blurb. Appended was the message:

'Well, why not? rinted a thousand like them.'

**Robb Raps Guild**

Criticizing the American Newspaper Guild's leadership, its tactics and its demands for a closed shop, Arthur T. Robb, executive editor of the trade weekly, Editor and Publisher, last week (13) debated with Heywood Broun, ANG president n the subject, 'The Guild—Boon or Bane,' in New York.

Robb stated in the course of the debate before an audience of 600, most of whom were Guildsmen, that newspapers face a decrease in revenues this year of $100,000,000 and increasing costs of 10%. Broun pointed out that when the Guild was first organized four years ago, salaries of linotypers averaged 34% higher than those of reporters throughout the country. Lewis Gannett of the N. Y. Herald Tribune presided. It was the first in a series of forums under ild auspices.

## Mugg's Windfall

Hollywood, April 19.

y submitting the winning title, 'Gayway,' for the San Francisco Fair's fun zone, Bob Duddy, Daily Variety cub mugg, shared in a $1,000 prize.

While wondering how to spend all that lucre, Duddy learned he had run a dead heat with 1,798 other winners. His cut was 57c.

**Resist Dept. Store ove**

Publishers who are burned by the department store book clubs, a new trade development to circumvent price fixing of books and prevent their being used as loss leaders, are now amending their contracts with distributors. Department store book clubs were introduced by R. H. Macy & Co., recently, and immediately copied by other firms in N. Y. and other cities.

Presently about a dozen firms have declared their intention of amending their present Fair Trade agreements, and several have already done so. When amended contracts are in force no book published by one of these firms can be used by any book club or department store as a premi . So far Simon & Schuster, Macmillan's and Harcourt, Brace have already taken such steps.

Harcourt, Brace and Simon & Schuster will continue, however, to submit their books to book clubs. If a book from one of these houses is the monthly selection, firm will probably work out a new deal in connection with the club, in which case the book would not be price protected, as will be the case with the rest of the list.

**George Clarke's Service**

George Clarke, former city editor of the New York Daily Mirror, has opened a combined writing talent agency, press relations and literary advice office in Radio City.

Ex-slot chief left the Mirror about three weeks ago, since which time he has become associated with a lawyer and a money-bag to angel the venture. Wants to hit newspaper writing world with bulletins for office boards. Will circularize newshounds and feature men particularly, ferreting them out, advising and script doctoring and also market material.

**Shoenstein Follows Spiro**

Amster Spiro, for 12 years city editor of the N. Y. Journal, more recently Hearst's Journal-American, has been succeeded in that post by Paul Shoenstein, assistant city editor. Latter has also been with the organization more than 10 years.

Spiro's attorney, David G. Berger, is negotiating a news broadcast deal for his client.

**LITERATI OBITS THIS WEEK**

**Joseph L. Kraemer**, 66, art director of the Detroit News and oldest employe of the newspaper in point of service, died April 11 in Detroit. Born in Germany, he joined the News on Sept. 20, 1890. He was a member of the Detroit Yacht Club and the Scarab Club. Burial in Detroit April 13.

**John Irving Dillon**, editor and publisher of the Philadelphia Sunday Dispatch for more than 30 years, died April 11 in Philadelphia, following a long illness. Widely known as a poet and political wri Dillon's copy appeared in many national magazines. His articles on politics frequently were seen in the Saturday Evening Post.

**Mrs. Harlett C. Cowles**, 70, wife of W. H. Cowles, publisher of the Spokane-Review, died April 9 in Santa Barbara.

**Frank L. Huffaker**, 59, former newspaperman and publicity director for Daytona Beach, died in the Florida resort city last week.

**Robert E. Murphy**, 63, newspaper advertising artist, died last week in Miami after several weeks illness. He had been staff member of newspapers in Birmingham, Atlanta, New Orleans and Miami. Wife, four sons and daughter survive.

**Cornelius F. Kelly**, 64, newspaper publisher an representative, died at Larchmont, Y., at his home on April 16. He was president of the Kelly-Smith Co., president of the Perth Amboy (N. J.) Evening News, president and publisher of the Fall River (Mass.) Herald News and vice-president and director of The News and Age-Herald, Birmingham, Ala.

**William L. Mead**, 76, former city editor of the Hartford Times and first secretary of the Hartford Chamber of Commerce, died Sunday (17) of a heart attack. He was 76 and had been ill for years.

He had been city editor of The Times from 1911 to 1915, having been associated with that paper from 1907. He worked on the Ithaca (N. Y.) Journal, the Troy (N. Y.) Times, as well as on papers in Washington and Boston. He leaves a cousi in the West.

**CHATTER**

Lowell Thomas getting his soft ball team organized.

J. P. McEvoy writing a new Shirley Templer in Hollywood.

Maurice Hindus joins the ranks of autobiographers in July.

Cosmopolitan mag bought Catherine Foss' story, 'Time for Madness.'

Sax Rohmer in N. Y. from London for a week, now completing the round trip.

Newark Evening News was awarded the N. W. Ayer cup for best makeup.

Louis Adamic has finished his new book 'My America' due out next month.

George Bye and his wife visiting Williamsburg, Va. together with Mrs. Roosevelt.

Title of the play by George Ross and Al Margulies is 'Sleeper Jump.' Deals with film folk.

Anne Ford, p.a. for Little, Brown, in N. Y. from Boston to meet Mazo de la Roche, here from abroad.

Westbrook Pegler has written a piece titled 'Soft Waters' for the Saturday Evening Post, in praise of soft drinks.

Bice Clemow resigning from Time mag where he wrote the press section. Sidney Hertzberg moves over from handling labor.

Robert Musel and Michael Raymond have just completed two film originals, 'Highway Patrol,' and 'Super-Highway.'

Erich Mann, lecturer, going abroad and expects to interview Stalin. Negotiations have been going on three months with Moscow.

Cedric Hardwicke, who spoke recently at a woman's club luncheon in New York, has been asked to write the speech as a mag piece for Cosmo.

Upton Sinclair and Eugene Lyons expect to publish their private controversial correspondence regarding the Russian executions.

Connecticut Nutmeg, new country weekly with name staff, will have no editor. Policy will be, first story in will be the first published.

George Fischer departs from the L. A. Evening News this week after writing the Hollywood Diary column for a year. Tab dropping the pillar.

Emi io ( ike) Angelo, who recently returned to Philly from Walt Disney studios in Hollywood, has been named cartoonist of the Philly Inquirer. He succeeds Jo Metzer.

David Lamson, film scribbler, sold 'School Teachers Don't Know Everything' to Satevepost, making his second for that mag within the month. Other is 'Once In My Saddle.'

Like O. O. McIntyre, his successor on New York Day by Day, Charles B. Driscoll does his personal correspondence in longhand, but sans the characteristic red ink, on a penny postcard.

Kathleen and Charles Norris, in N. Y. for the past few weeks from California, are headed for a Scandinavian cruise. Charles Norris has scribbled a new novel, 'Bricks Without Straw.' First title of more than one word in some time.

Authors' League has just issued a new prospectus bringing story of the organization's activities up to date. Membership drive is presently on, as many new writers have broken into the game within past few years who are not League members.

Paul E. Ackerman, of Paramount's foreign advertising and publicity department, is the author of 'A Doctor's Discovery,' just completed, a biography on the life and work of Dr. Charles Henry Duncan, internationally known physician and discoverer of the principles of autotherapy.

Gwen ristow, author of 'Deep Summer' and wife of Bruce Manning, Universal studio scenarist, is in New Orleans, where she will deliver a series of 40 lectures at the University of Louisi na. Mnuscript for her newest novel, 'The Handsome Road,' is now in the hands of her ublisher, Thomas Crowell, Inc.

# News From the Dailies

*This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.*

## East

Norma De Marco, who was an entertainer at the Howdy Club, Greenwich Village, was killed in a fall or leap from an apartment on the 12th floor of a midtown apartment last Wednesday. She was said to have been drinking. Earlier in the week she had been struck over the head in a holdup at the club during which a policeman and three of the bandits were shot. Police think the blow responsible.

Bronx bans bingo, but it's still okay in Brooklyn.

Maurice Golden, theatrical - ager, tells court in his wife's separation suit that she's infatuated with 'Michael' who toots a trumpet in a nite club. But still wants her back.

Claud Rains, English player, took out U. S. naturalization papers in Philadelphia last week.

Toscanini gave his first concert at Haifa, Palestine, last week and given an ovation.

Windsor theatre giving three performances a day this week. Kids out of school and program aimed at their tastes.

Negro Actors' Guild held memor l services last Sunday.

Performances of 'Tom Sawyer' at the Little called off when press agents' union demands a company manager be installed. Hikes the nut too high, the producers aver.

Clare Tree Major's Children's Theatre to make coast-to-coast tour next season with a repertoire of 'Cinderella,' 'The Little Princess,' 'King of the Golden River,' 'Nobody's Boy' and 'Five Little Peppers.' Play selected as a result of questionnaires.

First International Photographic Exposition at Grand Central Palace has some 3,000 prints, culled from double that number.

Mae West in town last week between dates. Dined at a Kenmare street restaurant one night and it took 18 cops to clear a space so that she might gurgle her soup. Thought she could make it incog.

N. Y. World's Fair using one sheets to advertise its preview April 30.

American Congress of Physical Therapy told how to cure black eyes in 24 hours.

Boston diet specialist claims credit for Garbo's complexion. Says she drinks several glasses of carrot juice a day, on his advice.

Atlantic City asks $30,000 of the WPA. Labor costs of an anti-skeeter campaign.

Harry Hart, press agent for WPA's 'Sing for Your Supper' tried out for a part last week and drew a lead. He's a baritone.

Al Smith gets a gold-handled sword from the Pope. Emblem of his rank as a Knight of St. Gregory.

Albee, Brooklyn, running a puppet show on the mezzanine to draw kid trade during the school holidays. Temple pic on the screen.

New Jersey to save $12,000 annually by cutting the size of the auto license plates. Starts next year. Done by using two letters.

One of the musical novelties last week was a recital by an 11 year old harpist at Steinway Hall. She's Nancy Scheafer, of the Bronx.

Joseph Hoffman, pianist, back to Europe on the Britannic last Thursday. To play dates abroad marking his 50th anniversary.

Mantco marionettes to come to Broadway next week. Have been famous in the Italian sector for years. Larger than the usual puppets, averaging four feet in heighth.

Gladys Swarthout helped award the prizes at the Antiques exhibit last week. Dealt out about $1,000.

Philharmonic-Symphony League, of N. Y., to give a luncheon at the Astor next Wednesday. To honor John Barbiroli, conductor.

Margaret McCloskey, 15, picked up last week as a vagrant. She had a dog with her. Told the cops she could tap dance and the dog could bark answers to questions. Came from Greenup, Ky., in the hope of landing a radio job. She'll be sent back to the bluegrass without having seen Maj. Bowes.

Mayor of Hell in town on a visit. It's a small town in Norway.

Tommy Kelly Week in the Bronx wound up Saturday with a parade with 15 bands and about 5,000 marchers. Proclaimed by the boro president to honor the player of 'Tom Sawyer.' No theatre tie-in.

Stage Relief Fund reports $9,772 returned by actors who were tided over tough periods. Not compulsory.

N. Y. state considering auto plates good for five years.

WPA planning to do Shaw's 'Androcles and the Lion' with an all-Negro cast at the Lafayette.

Group Theatre threw a party Sunday night for Eddie Elkins, marking a start of Group Theatre of the Air.

Post office has issued a fraud order against Affiliated Enterprises, Inc., of Denver. Company owns Bank Nite.

Swim season in City Hall park fountain basin opened last Friday when press photogs hired a few boys to dunk.

Graham theatre, Brooklyn, gutted by fire last Friday. Started in projection room and operator badly burned. Happened after the night show and no patrons in the house.

Wallace Beery, who used to be an elephant man on the Barnum show, dropped in at the Garden Friday night. Press agents insist that six of the tuskers remembered him.

Two companies will tour in 'Bachelor Born' next season. One will open in Chi, the second covering the southern tour.

Several hundred cars delayed in the Holland tunnel Friday when a fox terrier jumped out of a car and started the trip afoot. Owner was unaware of his pet's action.

'All the Living' to offer $100 for the best analysis of a bad dream or untoward action. Hooked to the nut angle of the drama.

Last February Maj. Albert Warner was robbed of about $70,000 in gems. Found last week buried in a Negro cemetery near his Miami Beach home.

Media, Pa., jury last week awarded Mrs. Marnie Clark, dancer, $6,000 damages for injuries sustained in an auto accident. Also gave $5,000 to her nephew, whose mother was killed in the same crash. Known in vaudeville as the Jeanette Twins.

Circus to give its annual performance on the lawn at Bellevue hospital tomorrow (Thursday).

Authorities find that pseudo military organi promoted by uniform man Cutting down the list.

Ray Kinney back from Honolulu and to the Hawaiian room of the Lexington. Brought a band and three dancers back with him.

Players may have to abandon their annual revival. Lack of draw names hurting.

Rowland Stebbins back from hi Florida vacash.

Former Assemblyman Lorens M. Hamilton of N. Y. demands passes to N. Y.'s World Fair for every N. Y. motorist in return for free advertising on license plates.

Music played by Italians over 400 years ago to cure diseases was played at the opening of Johns Hopkins U. Medical School graduating week.

Reports of the wedding of Toby Wing of 'You'll Never Know' and Dick Merrill, flyer, denied by the actress.

## Coast

Emilio Staine, concert singer, was cleared by an L. A. court in a paternity suit brought by Catharin Lowe, actress, who claimed he was the father of her son.

Sigrid Gurie, film actress, is not responsible for her estranged husband's debts, she told an L. A. court in a suit against her for $300 in back rent.

Carmel Myers and her husband, Ralph Blum, were made defendants in $21,000 damage suit, the result of a motor crash last July 20.

Stan Laurel's first wife asked an L. A. court to order payment of $1,355 per month for the support of her daughter, 10. They were divorced in 1933.

Jim Tully, novelist, and Duncan Renaldo, actor, escaped injury when the automobile in which they were riding was overturned by a truck in North Hollywood.

Objecting to motion pictures of her surgical operation, Mrs. Olive Anthony, private investigator, sued Dr. William L. Weber, L. A. surgeon, for $75,000.

Miriam Hopkins reported $15,000 jewel robbery in her West Los Angeles home.

Divorce of Ellen W on eAdoo de Anate, daughter of Senator William Gibbs McAdoo, from Rafael Lopez de Anate, actor, became final last week in L. A.

Claire Trevor and Clark Andrews, radio producer, to marry in June, it was announced.

Dinky Ozment, dancer, and her husband, Harold Overell, were divorced last week in L.A. Overell testified he was a minor when they eleoped March 1.

Con Conrad, songsmith, was sued for divorce in L. A. His wife, Leona, said he handed her rubber checks.

William Hamilton, director, issued a general denial in answer to a $50,000 balm suit by Jean Laverty, screen player, in L. A. iss Laverty claimed he proposed every day for 18 months and then cooled.

Jackie Coogan weighing two offers to write his life story, proceeds to be used in pressing suit against his mother and step-father for an accounting of his childhood earnings, estimated at $4,000,000.

Pauline Starke, film player of silent days, was awarded a divorce from George S. Sherwood in Reno.

Charging alienation of her husband's affections, Mrs. Maria Theresa Bustos Jefferson, singer, filed $75,000

(Continued on page 55)

## Broadway

Grad Sears in Bermuda for Easter.

Juliet Forbes to Westbrook, Conn., for a visit.

Joe Behan, Warner booker, laid up by illness.

Quite a few Hollywoodians in town this week.

John D. Clark, 20th-Fox general sales manager, under doctor's care.

Harry Keller, p.a. for the William Morris office, due back from Florida next month.

Ed (Rainbow Room) Seay confined at the Fifth Avenue hosp for several weeks.

Summer theatre of Dick Keene and Jackson Halliday, will have dramatic school as adjunct.

Ralph Rolan of RKO Pictures on a week's vacation cruise to Cuba and Bermuda; due back April 25.

Earl Wingarts take off Friday (22) for Peoria, home town of Mrs. Wingart, on two weeks' vacation.

Howard Barnes, Herald-Tribune screen writer, due here April 28 to line up film personality stories.

David Lipton due back in N. Y. this week after doing special exploitation for Universal in the west.

When 'Brother Rat' goes to Brooklyn next week, the Ambassador will lose its nightly after-the-show poker game.

Jack Durant, formerly of Mitchell and Durant, who recently opened in a single, back from provincial vaude with his wife.

Moppets from 'Schoolhouse on the Lot' and the Professional Children's School are to tangle at softball in Central Park.

Bill Doll is advance drum-beater for the only remaining 'Brother Rat' troupe. Now stirring up the dust through Canada.

Max Kosarin, of Brazilian Information Service (supply acts for Brazil spots), sailed for Rio de Janeiro April 16 for an o.o.

Lou Clayton preceded Jimmy Durante back to the Coast over the weekend. The schnoz breezes west today (Wednesday).

The George Laits were married aboard the Empress of Australia two hours before the West Indies cruise sailing last Thursday.

On the subject of A and B pictures, one showman observed that any designation is all right with him so long as they're B.O. pix.

Signaturing of a fourth distribution pact with RKO was celebrated last week by March of Time with a dinner for Ned Depinet, v.p.

David Palfreyman back to his apartment in Jackson Heights now that his wife has sufficiently recovered from a serious operation to go home.

Lynn Farnol, Donahue & Coe advertising executive, has written a story account of his recent Mediterranean cruise for circulation among his friends.

Jeanette acDonald says she's all right by herself on the sidewalks of New York but whenever with her husband, Gene Raymond, that usually starts the mobs after her.

Dave Gregory, formerly with Tom Fizdale's p. a. office, has exited to publicize Green Mansions, Lake George, N. Y., summer spot. Group Theatre will summer there.

Showmen lking of running a show for Fritzi Scheff, the 'Kiss Me Again' girl, despite her personal objections. She was just released from a Providence hospital and is still invalided.

W. A. Woolf, advertising-publicity head for Western Electric, expected back at his desk this week after convalescing for more than two and one-half months due to an injury caused by a fall.

'Nitwits,' sponsors of the nickelodeon films which ended a two-week run at the Tower on the east side last Saturday (16), are looking around for another theatre to present the pictures.

A. H. 'Sparks' Whedon, former engineer for the Electrical Research Products, Inc., back in New York to settle estate left by his aunt. He plans to enter biz on his own after motoring to the Coast.

Arthur Schwartz looking for a lirettist, now that Howard Dietz is tied up with his Metro new season film campaigns. The Ditzes and the Schwartzes, incidentally, expect to be papas soon, at around the same time.

## Sydney

Maj. Gen. James Harbord, RCA, here.

Jack Mason, New Zealand Theatres, huddling with Ken Asprey.

Stanley Crick planning another picture try. Plenty of offers, but waiting to pick the right one.

Metro is reissuing old successes. First, 'Smilin' Through,' is currently playing for Greater Union in Sydney.

Stuart Doyle has almost finalized is radio coverage in Melbourne. en this is done will give some time to show biz propositions.

Fo d of RKO's 'Stage Door' at Hoyt's Regent, Sydney, was a shock. Picture started off well, but take faded on second stanza, followed by yank order.

'Wings of the Morning' (GBD) flows along to continued smash biz in Melbourne on third month. It's considered the best Britisher to play this way in years.

Williamson-Tait will revive 'No, No, Nanette,' in Melbourne. Albert Locke will produce. Pulling 'Swing Along,' which has been slow, for the latter. Marie La Varre slated for 'Swing.'

Tivoli Theatres doing well with vaude-revue in Sydney, Melbourne and New Zealand. With deal on for acts to Greater Union, it looks as though overseas performers will cop around 25 weeks between the two units.

Madge Elliott arrived here for brief holiday from London. Hubby, Cyril Richards, remained behind owing to theatre engagements. Possibility that femme star may do a short season here for Williamson-Tait prior to returning to England.

## Paris

Jacques Charles to New York.

Florelle broadcasting over Radio-Cite.

Marie-Therese Flory elected Miss Cinema 38.

Fernand Gravet id to be ardent tin soldier collector.

'Marie Walewska' ( ring fourth week at Le Paris.

Louis Lumiere moving baggage and laboratory to the Riviera.

Opening of 'In Old Chicago' ) breaking all-time publicity.

Claudette Colbert and hubby, Dr. Joel Pressmann, off to Midi.

'Corsaire,' starring Louis Jouvet, opening at Theatre l'Athenee.

Annie Vernay writing impressions of debutante-star for 'Ce Soir.'

Harry Baur's latest 'La Tragedie Imperiale' opening at Marignan.

Germaine Lublin asked to sing in 'Die Walkuere' at Bayreuth festival.

Fernand Rivers winding up 'La Presidente,' starring Elvire Popesco.

Lily Pons scheduled to sing in 'Lucia di Lammermoor' during short stay here.

Foreign Minister Paul Boncour's daughter giving private dance recital.

G. W. Pabst in from Saigon where shots of 'Drame de Shanghai' were made.

Maurice Chevalier and Nita Raya back from North African tour and off to Riviera.

Maurice Lehmann planning to produce 'Balalaika,' which he is adapting from English.

Francis Carco, the writer, going to play himself in film adaptation of his 'Prison de Femmes.'

Ginette Leclerc engaged by Pagnol for femme lead in 'La Femme du Boulanger' opposite Raimu.

Charles Laughton over for opening of 'Vessel of Wrath' (M-G) at Biarritz. Then back to England.

Zarah Leander here from Sweden for French dubbing of her icture, 'Parametta,' made in Berlin.

Tania Dol in from Czechoslovakia for top part in 'Rein qu'un Baiser,' opening soon at Bouffes-Parisiens.

Story by Sacha Guitry, 'Remontons les Champs-Elysees,' which he is now filming, being published in 'L'Intransigeant.'

Jean-Pierre Aumont made short document on North Africa while there appearing in exteriors of 'SOS Sahara.'

Max Dearly and Victor Boucher, appearing together in same film for first time in adaptation of Verneuil's 'Le Train pour Venise.'

Cast of 'Piste du Sud,' which Pierre Billon is making, starring Albert Prejean and Ketti Gallian, in from North Africa where exteriors were shot.

Edmont T. Greville, winding up 'Quarante Ans' ('40 Years'), showing Dutch life from 1898 until present, going to make film on Van Gogh.

## Berlin

'Naughty arietta' ( ) repeated at Kamera.

State order reduces prices on all radios 10%.

Ufa throwing party for 'Strength Through Pleasure' folk.

Hans von Benda's orchestra guest performing in Bulgaria.

'Revolution bei Busse,' comedy by Ewald C. Demandowski, on the ethe .

'The Man Called Shakespeare,' another novel about the Bard by Konrad Haemmerling.

Modern German music performed at Paris by Prof. Hauschild and pianist Paul Eisenhauer.

Heinrich Karl Strohm to stage Richard Strauss' opera, 'Frau ohne Schatten,' at Teatro Reale, Rome.

'Graal's Week' at State Opera in honor of Richard Wagner's 125th anniversary turning out revivals of 'Parsifal' and 'Lohengrin.'

Munich State opera season to present compositions by Richard Wagner, Mozart, Richard Strauss and a whole week of Italian music.

Germaine Lubin, of Paris Grand Opera, first French singer to take part in Bayreuth festival plays. Signed for Kundry in 'Parsifal.'

German singers and musicians (300) from Munich State Opera shipped with complete scenic outfit to La Scala, Milan, to give Wagner's 'Ring' cycle.

## London

Teddy Joyce has two broken ribs.

James Agate elected president of Critics Circle.

Jean Gillie in nursing home with in ernal trouble.

Jack Waller threw birthday party at the Savoy hotel.

Leslie Henson back in cast of 'Going Greek' following illness.

Art Tatum at Ciros Club for four weeks. Doubling at Paradise Club.

'George and Margaret' folding after over a year's run, in coupla weeks.

Charles Cochran's revue finally set for opening at the Adelphi theatre May 12.

Ritz hotel cabaret reopens May 2, with Clifford Newcaho and Ken Harvey.

Dr. Paul Czinner and Conrad Veidt have applied for British naturalization.

Associated British Pictures Corp. has started 'Yellow Sands.' Directed by Herbert Brenon.

Gilbert Miller in Paris to make arrangements for London staging of 'Frenaisie,' current Pari hit.

Prince Littler doing a musical which is likely to star George Robey. Wants Joe Termini for a part.

New Prince of Wales theatre show scheduled for some time in May, with Naunton Wayne signed as star.

Walter Hackett has writen a new play for Ralph Lynn, which will tour the sticks. West End likely, too.

Larry Adler off to Paris for vacation and night club work, prior to his returning to America May 11.

John Van Druten's play, 'Most of the Game,' to be done in London by Alec Rea, with Auriol Lee to stage.

Belle Lyon, of the Three Sophisticates, currently in Cliff Fischer's London Casino revue, hospitalized.

Mr. and Mrs. Louis Adler sail for New York April 13, which happens to be their 25th wedding anniversary.

Turner Layton, formerly of the colored team, Layton and Johnston, laid up in hospital following auto crash.

Clifford Mollison to the south of France on three weeks' vacation before he starts with 'Balalaika' in the sticks.

June Taylor, head gal of erriel Abbott beauts, tested by Alexander Korda, and now offered a long-term contract.

Victor Saville taking chair at East London Aid Society's Dorchester hotel annual shindig, of which Arthur Dent is prez.

Bobby Howes' next show with Jack Waller will be musical version of Walter Hackett's play, 'Wicked Earl,' which William Mollison will produce.

Edgar Kennedy coming over to play in Gainsborough Films' 'Stick 'Em Up,' which stars Will Hay, and will also have David Burns, another American.

Gertrude Niesen may appear in a play in London as soon as she finishes her four weeks' run at the Cafe de Paris, with Gordon Harbord producing.

ABP finally set on doing 'Yes, Madam,' the former Jack Waller Hippodrome musical, now that Bobby Howes is free to play his stage role. Starts in June.

George Black trying to persuade Lupino Lane to transfer his musical, 'Me and My Girl,' from the Victoria Palace to the London Hippodrome, to play twice nightly.

Jack Buchanan sponsoring a film version of 'Richard of Bordeaux,' in which John Gielgud will play the role he successfully created on the stage a few years back.

Several persistent rumors that Noel Coward's 'Operette,' at His Majesty's theatre, to close shortly, but no truth in it, as opry is doing over $16,000, $2,500 in the bag.

District Messengers Ticket Agency has absorbed Ashton & Mitchell, oldest theatrical ticket agency in the business, which always booked entertainment seats for their Majesties.

Sam Smith, head of British Lion Films, due in Hollywood for Republic Pictures' sales convention next month, but not sailing, as he has three pictures lined up. They'll keep him home for four months.

Ken 'Snakehips' Johnson, former leader of Fletcher Henderson's band, makes his first air appearance for the British Broadcasting Corp., making first instance of colored aggregation on the British ether.

## Pittsburgh

### By Hal Cohen

Kap Monahans' second youngster down with the measles.

Adelaire Fehl, of Metro, to wed Robert Sabin Saturday (23).

Fred Querner celebrating silver anniversary of his Dome theatres.

Dorothy Bushey withdrew from Playhouse revue on eve of opening.

Press-agent Jay Griffith and William Penn Hotel have parted company.

Ralph Cunningham now doing the arrangements for Lawrence Welk's band.

Date of testimonial dinner honoring John Maloney postponed ntil May 9.

Sid Jacobs ack from a Florida vacati Latta and family.

George Le o's frau home again after spendi the winter in Palm Springs.

Jackie Heller, unable to get out of Kansas City date, missed brother's wedding.

San Carlo Opera Company plays Syria Mosque for two nights, April 28 and 29.

Maestro Art Farrar in from Florida after three months of nitery work there.

Gabe Rubin intends to keep Art Cinema going through the summer for first time.

Fran Eichler's orchestra now under managerial wing of Consolidated Radio Artists.

Jerry Mayhall's youngster had six stitches taken in chin after street-hockey mixup.

John Hooley, manager of Harris-Mt. Oliver, ailing. M. M. Weir filling in for him.

Pianist Pescha Kagan plays before President Roosevelt at White House today (20).

## Minneapolis

### By Les Rees

W. C. Gehring, 20th-Fox division manager, a visitor.

Esther Colner, National Screen booker, weekended in Chicago.

More than 126 deals in Minnesota alone already reported for 'Birth of Baby.'

'Man and Superman' U. of Minnesota Playhouse's final offering of season.

Agnes Settergren of Warner Bros. back on job after being out six weeks with broken wrist.

W. H. Workman, Metro branch manager, sufficiently recovered from illness to tour territory.

Harry Hirsch, Gordon Greene, Bill Sears and Ted Bolnick handled stage show for policemen's annual stag.

Hy Chapman, Columbia branch manager, flew in from Watertown, S. D., to be home for the holidays.

Sol Fischer and Henry Workman local nabe and Shakopee, Minn., exhibitors, respectively, proud daddies.

Irish Sweepstake tickets going like hot cakes on Film Row since Minneapolitan won $150,000 on last race.

Lowell Kaplan, of the Eddie Ruben circuit, and Bill Evidon, Columbia office manager, enthusiastic horsemen.

Fred Finnegan and Gene Meredith, of Universal and Warners, respectively, have moved to Lake Minnetonka summer homes.

Minnesota Amusement Co. executives reported to be making no n otiations to take over Baer circuit of Minnesota and North Dakota theatres.

Harry Skirboll, back from Des Moines, where he set 'Birth of Baby' with Blank and Wenberger circuits, off to home in Cleveland for few days.

## Philadelphia

### By Herb Golden

Charli matism.

A. J. Vanni, in Germantown Hospital, recuping from appendicitis operation.

Lee Gainsborough has given up asst. managership of Europa to join Philly Ballet.

Walnut Street theatre has eliminated Yiddish films temporarily in favor of legit.

Ailing list also includes Joe Metzger, of Film Service Co., and wife of Joe Silver, Ledger film ad man.

Jack Beresin, Earle Sweigert and Ben Amsterdam headed for Variety Club's national shindig in Cincinnati.

Friends, headed by Councilman Thomas Stokley, will give testimonial May 2 for Sam Hyman, op of the Cameo.

Rhea Rosoff has left Horlacher's here for job in Monogram's Boston exchange so she can be near her hubby, interning in hospital there.

## Chicago

Lee elmont Owens back from the Coast.

Lou Cowan i illoughby Tower offices.

Herb Sherman going through a daily course in calisthenics.

J. C. Stein trained out to the Coast after a short stopover in local home office.

Nate Perlstein in after Hollywood negotiations for the Morris, Shenker & Roth agency.

Roy Bruder's score in the 80's, despite only two spells on the fairways this season.

Frances Poole continuing as assistant film editor of Chi American, despite her recent marriage.

First National Bank here querying all depositors as to their reaction to the Philadelphia Orchestra program.

Henry Markbreit, amusement ad chief of Daily Times tab, learning how to straddle a nag, hoping to be a poloist.

Leo Salkin, who has been operating solo for the past couple of months, joins the Central Booking Office as equal partner with Al Borde and ick Bergen.

## Hollywood

George Brent discharged from hospital.

Sol Lesser's dau week.

Nat Carr at work.

Jon Hall i yacht.

Lyle Talbot stricken with ptomaine poisoning.

Don Terry at Victorville for two weeks of rest.

John Houser joined Tom Fizdale's praisery staff.

Mrs. Mervyn LeRoy ischarged from hospital.

The Gary Coopers back after eastern vacation.

Ethel Merman held at 20th-Fox for another picture.

David Loew and family back Arizona motor vacation.

Kyle Palmer back in Hays o after having his tonsils yanked.

Warners shooting around Mabel Todd because of a face infection.

Bob Baker back after a month's p. a. tour through the Southwest.

Joseph Chamberlain, Scribner's associate editor, visiting the film plants.

James Cagney off for New York and Martha's Vineyard for six weeks.

Ilya Laskoff, baton wielder for the La Scala Opera, here until November.

Victor Clarke, aide to Pat Casey, on the job again after two weeks' rest.

The Robert Youngs left for a six weeks' stay on their Connecticut farm.

Pat O'Brien elected president of the Marquette University Alumni Assn.

Howard Strickling back at his Metro job after an Arizona honeymoon.

Charlie Ruggles laid up with a dislocated ankle suffered in a handball game.

Anthony Veiller back at RKO scripting desk after loanout to Columbia.

Robert Montgomery vacationing after completing his role in Metro's 'Yellow Jack.'

Faye Hanlin, prexy of the Motion Picture Hair Stylists Guild, brought a valley rancho.

Richard Arlen, back after two weeks aboard his cruiser, is mulling offer from Republic.

Charles Irwin, di Metro's 'Lord Jeff,' actor in the picture.

Ray June, who photographed Metro's 'Test Pilot,' checked in after a month in Death Valley.

N. Hulsman, film scribe on the Belgian Journal des Beaux Arts, gandering the Hollywood studios.

John Auer, Republic producer-director, on crutches due to knee fracture sustained while bowling.

Helen Gladys Percey, Paramount research head, off on a two months' vacation, her first in 12 years.

Claude Rains, vacationing at his Pennsylvania farm, summoned to Hollywood for a role at Warners'.

Rayemon Robin, of Chicago's Lake Shore Drive set, signed for a femme role in Paramount's 'Prison Farm.'

Slapsie Maxie Rosenbloom celebrated 'Bookmakers' Night' at his eatery and got some of his money back.

John Litel heads for Manhattan vacation as soon as he completes his role in Warners' 'In Every Woman's Life.'

Sidney Howard completed his polishing chore on Selznick's 'Gone With the Wind' script and headed east.

Mabel Todd will vacation in Manhattan as soon as she completes her role in Warners' 'Garden of the Moon.'

H. Bedford Jones and John Browne on stage to watch Warners film their Satevepost serial, 'Garden of the Moon.'

Eve Green back from Manhattan, where she negotiated a fall production for her new play, 'Happily Ever After.'

Les Wagner switched his press-agentry from pictures to politics, joining Pierson Hall's campaign for governor.

Dennie Moore back at Warners after two weeks at Palm Springs, where she recuperated following an operation.

Harry Kernitz, who writes under the name of Marco Page, completed his Metro stint and headed back to New York.

Bing Crosby donated $1,600 organ to St. Charles Church, North Hollywood, and will solo at the dedication next month.

Richard Blumenthal back at his Paramount studio desk after attending final rites for his father, Ike Blumenthal, in New York.

Wallace Beery, due in New York from Stockholm this week, planes immediately for Hollywood to start work in 'Northwest Passage.'

Firemen chased actors off the set at Paramount when overheated Technicolor lamps burst into flame. Blaze took place during fil ing of William Wellman's 'Men ith Wings.' Damage was slight.

Ifor Thomas, Collier's chief cameraman, here to lens David and Myron Selznick for the mag's forthcoming article, 'The Amazing Selznicks.'

Baron Long, operator of the Biltmore Hotel, trains out May 3 for a four-week tour of eastern niteries in search of talent for his Biltmore Bowl. He'll be accompanied by Joe Faber, his director of entertainment.

# Circus Reviews

## Tim McCoy's Wild West

Chicago, April 15.

This shapes up as almost a sure money-maker. Due, not so much to socko b.o. as to the fact that it rates as about the lowest nut show ever to hit the big-time trail. Outside of Col. Tim McCoy there are no salaries in the show, the other performers being about 100 horsemen and a gang of atmosphere Indians.

About the best  et that the McCoy shows has is its veteran business staff, which includes such people as John Powers, S. L. Cronin, C. W. Finney, Jack Youden, Barney Kern, Bill Penny, Ralph Williams, Ed Johnson, Sam Ward, Tom North. Most of these men have been in the outdoors biz for some time and know their way around the corners. They can be depended upon to get the most out of any coin possibilities.

McCoy comes to the tanbark with a background and reputation through horse operas for Columbia Pictures, Monogram and Metro-Goldwyn-Mayer. He needs pictures and the aid of a story considerably, for McCoy comes through with painfully little in the way of entertainment as the leader of the show, though he was on the Ringling Bros. Barnum & Bailey Show last season. He makes an entrance in the opener, makes a short speech, returns during a rodeo session to rope eight riders, makes appearance later to do some sign language with Indians, and then back in the finale for a bow. Only in the roping bit does he make any real impression.

Bulk of the entertainment in the show is found in the two rodeo bits, the roping and the bulldogging During these moments there was some excitement among the audience, but the rest of the show was painfully slow and often dull.

Dullest sequences were those which were supposed to tell short stories of the West. This includes such items as routine 2, which depicted the operation of the Pony Express, the operation of the Deadwood Stage Coach, the Pipe of Peace Council between the Indians and McCoy, the Covered Wagon battle between pioneers and Indians, and, finally, the driving of the gold spike on the transcontinental railroad. Such obvious stuff that even the kids laughed in the wrong places. Most of it was used in the Buffalo Bill show 50 years ago.

After the Grand Entry, which was okay on music and ceremony, came the Pony Express bit, which showed a rider racing around the arena and switching horses in a hurry. Followed by a drill by horsemen listed as English Lancers, Kuban Cossacks, Bengal Lancers, U. S. Cavalry. This was pleasing to watch, especially for the kids.

Cowboys were out next, with an Australian whip-cracking sequence, gaucho boleadoro-throwing, and, finally, Mexican and American lariat work. All typical stuff and not outstanding. Deadwood Coach sequence depicted the coach standing off an Indian attack, then being held up by bandits, with the desperadoes later rounded up by a posse. Much too obvious, even for the most eager wild west show patron. Lancers were then supposed to give an exhibition of skill, but they muffed miserably, with a quartet of them in a special tent-pegging contest being unable to spike up even one stake from the ground.

Came some rodeo bulldogging and bronco-riding, which gave the customers something to sit up about. Steers were scrawny and the broncos had to be hit to buck, but still considerably more entertainment than most of the items on the bill. Program listed an exhibition of fast shooting from the saddle by Col. Tim McCoy, but this was pasted over in the book.

Italian cavalrymen put the horses through some jumps all right. Monkey drill by the U. S. horsemen was pretty sloppy and slow. More action from the Cossack with the tumbling tricks on the galloping horses. Dr. Ostermaier brought out a couple of horses for some dancing tricks; good, especially the white one, which he guided only by long reins. Other items were the 'story' bits, which weren't so hot. Finale takes place all of a sudden during the Golden Spike episode.

Show runs 120 minutes and gets mighty dull at times. Needs speeding up in several items. But, despite its drawbacks on entertainment, should figure to make money on lack of cost. Four deckhands handled all the show, which needs only some props, such as hurdles, stands, etc. There is no rigging whatever, so that on the road the show won't even need a tent, but could work with merely a canvas enclosure. Entire cost of operation figures a fraction of operating cost of regular circus, and on that score show should add up to a money-maker.

International Amphitheatre was full of paper on opening night (14), which was Holy Thursday, but nevertheless they did come. Exploitation should make 'em come in sufficient numbers, and the low nut will  ke care of the rest. *Gold.*

## COLE BROS.

Chicago, April 16.

Big-time three-ringer with all the elements to make up a smacking three-hour show for all types and classes of people. Opened at the Stadium here Friday (15) for a stay until May 1 when it moves to home quarters in Rochester, Ind., to pick up tent.

Opening was marred somewhat by a number of accidents and injuries, both in and before the show, but the bulk of the circus is still powerful and surefire entertainment. Dennis Curtis, who did the mule act known as the 'Taximeter,' died in Omaha last week; Maximo, the slack wire worker, is ill in Chicago of pneumonia; the Great Florenzo, somersaulting motorist, landed head downward during his stunt on opening night and collapsed while taking his bow; chariot horses ran wild and dashed against side of hippodrome track; the Flying Harolds gave up trying the twisting somersault trick after two misses. But these were scarcely noticed in the welter of acts and talent that Jess Adkins and Zack Terrell are furnishing this year.

Clyde Beatty and Ken Maynard are dividing the sub-billing as box office bets on this show. Beatty is on early as usual so as to clear away the cage. And while, according to his act and standing, he rates a place farther down on the bill (according to vaudeville show routining), Beatty's act gives the show a powerful impetus. No question of it's being an outstanding cat act, with Beatty working with cinch showmanship and salesmanship, getting plenty of gasps out of his audience. Has two fine bets in his rolling tiger, which is holdover from last year, and a new one, a whirling tiger. The latter is nifty circus stuff especially.

Maynard comes in from pictures and holds down a spot not only with a cowboy group of ropers, buckers and jumpers, but comes through on his own by roping six horses in a single throw and tops off with an exhibition of trick shooting, good novelty bit. He figures especially well as gate strength for the kid followers of western pix.

Circus opens again with a Rex de Roselli production number, titled 'Seville,' with the gals going through some steps as senoritas. Colorful for a circus and gets the show off neatly. On early is Harriet Beatty, working elephant, lion and tiger quickly, polishing off by jumping the two cats through a hoop of fire. She makes splendid appearance and surefire as youthful femme working tough animals.

Flock of acrobatic turns on the bill, doing the regulation risley work, tumbling, teeter-board, juggling and balancing. These included such acts as the LaMar Trio, Hollis Troupe, the Belle Trio. Working the seals were Capt. Bernardi and Roland Hebeler, topped by a musical seal stunt. All run off quickly and with punch. Entire show has speed with none of the acts permitted to stall.

Risley and juggling acts were the Osaka, Tokio and Omata Troupes, all clean-cut and finished performers. Working on unsupported ladders was the Zoeppe Family, standard with the Cole show. Casca Bros. work on the globes neatly, while the Rink Wright and Co. act has a nice novelty on a teeter-board ladder. Regular teeter-board work later in the show from the Freddysons and the Picchianis, both solid. The Tayamas Japs are on during the same display with good risley and balancing.

Plenty of good horse routines in the circus led by Jorgen Christiansen, who has a stand-out liberty horse act near the finale. Uses 24 horses in a bang-up liberty nag routine. Dorothy Herbert is the leading femme equestrian, smacking with a jumping and riding exhibition. Bareback riding by other femmes from Bessie Hollis, Rose Wallett and Juanita Hobson. For bareback troupes, all consistent entertainers, there were the Hollis Troupe, the Aurelia Family and the Hobson Troupe. These acts have fallen into a set routine, including the standard comic. Program listed John Farthing and James Foster as liberty horse workers, but the routine was restricted to Christiansen, which is just as well since Christiansen's work is so outstanding other t  is would look weak beside it.

One-arm front-overs were contributed by Cyse O'Dell, who touched 100 body throws on the opening night show. Works right against the ceiling of the Stadium and a solid stunt.

Best of the high acts were the Gretonas, who are still sock with their bike riding on the high wire. Especially effective because they use no set net. Flying turns were the Harolds, the Peerless Illingtons and the Voise Flyers. Always an eye-filler for any audience, these three flying turns are surefire on entertainment.

Single elephant display was led by three femmes, Wanda Wentz, Jean Allen and Betty Stevens, and all under the direction of Eddie Allen.

Clowns were standard, with the singles being Eddie Wiswell's comedy flivver, Otto Greibling leading a clown band and Jose Gonsales, doing a burlesque toreador routine, using two dogs in miniature bull costume. Got some laughs.

Finale stunt on the show went haywire when the Great Florenzo and his somersaulting auto fell head downward. Machine will have to be straightened out to get it to come down wheels first. It's a tough way to make an easy living. Filling in for Maximo on the slack wire was Harold Silvers, who did a fine job, especially clicking with a backward somersault on the wire. In the two side rings were Senor Casca and Senor Garcia, both coming through with good wire routines.

All in all, plenty of show that will satisfy the toughest circus follower. *Gold.*

# MARRIAGES

Ruth  iatt to Harry Liberman in Tijuana, Mexico, April 8. Bride is a film player.

Doris Boyle to Don Tait, in Los Angeles, April 2. He's in Par's script dept.

Ruth Warrick to Erik Rolf in New York, April 15. Bride formerly a singer with KMBC, Kansas City; he is a CBS announcer.

Lucy Ann MacLean to Dick Webster in Los Angeles, April 16. He's soloist with Jimmy Grier's orchestra.

Elaine Shepard, film actress, to Terry Hunt, conditioner of picture people, in Los Angeles, April 16.

Eve-Mae Ball to Ross Woodbridge, in Rochester, N. Y., April 12. He's announcer and p.a. with WHEC, Rochester.

Florence Meyer  Harry Goldstone, in New York, April 14. Groom is cousi  of Phil Goldstone of Principal Pictures.

# BIRTHS

Mr. and Mrs.  illy Morrell, son, in Detroit April 10. Father is an actor at WWJ and WJR, Detroit.

 . and Mrs. Ham Fisher, daughter, April 14. He's the creator of Joe Palooka.

Mr. and Mrs. Sam Ross, son, in New York, April 9. Father is an orchestra booker and band leader.

Mr. and Mrs. John Gallaudet, daughter, in Los Angeles, April 11. Father is film actor.

Mr. and Mrs. Lester Cole, son, in Hollywood, April 13. Father is screen writer.

Mr. and Mrs. Frank Connors, daughter, in Detroit, April 15. Father is pit tenor at Fox theatre, Detroit; mother is former Nina Kirk of vaude.

Mr. and Mrs.  ichard Bradley, son, in Los Angeles, April 12. Mother is daughter of J. J. Sullivan, Fox West Coast chief film buyer.

Mr. and Mrs. Dwight  eist, Jr., daughter, in New York, April 14. Father is an actor.

Mr. and Mrs. George McElraith, in New York, April 15, a boy. Father is with NBC engineering staff.

Mr. and Mrs.  'ervyn LeRoy, daughter, April 17 in Hollywood. Father is picture producer; she's Harry M. Warner's daughter, Doris.

Mr. and Mrs. Robert Maguire, son, April 15 in Bridgeport. Father's in charge of WICC news service.

Mr. and Mrs. Morton J. Metzler, son, in New York, April 16. Mother is Sylvia Rosenberg, secretary to Gene Buck, prez of ASCAP.

Mr. and Mrs. John J. Spencer, daughter, in Boston, April 11. Father is censor of Boston.

Mr. and Mrs. LeRoy Keller, son, in New York April 10. Father is in charge of radio developments for United Press.

Mr. and Mrs. Bruce Horton, son, in Pittsburgh, April 14. Father is editorial promotion manager of the Pittsburgh Press.

Mr. and Mrs. Alton Rea, daughter, in Pittsburgh April 12. Father is assistant manager Stanley theatre, Pittsburgh.

# OBITUARIES

### CORRECTION

Last week VARIETY printed an obituary notice of James C. Morton (Lankteen). The information came from a reliable source and was accepted as such. It develops, however, that the notice should have applied to James J. Morton, also a guest of the Williams Home. James C. Morton is not the person meant in the obituary. An obituary of James J. Morton appears below:

### JAMES J. MORTON

James J. Morton, probably first of the masters of ceremonies, died in Islip, L. I., April 10, following a long illness. He had been a guest of the Percy Williams Home there for some years.

Morton, though best known as a monologist, spent his earlier professional years as a member of the sketch team of Morton and Revelle. He generally found an engagement in burlesque during the regular season and formed the habit of standing alongside the proscenium and making apparently ad lib comments on the acts appearing or about to appear, giving allegedly confidential information as to their private lives, relationship and other trivia. It was a tremendous hit and brought him more work in the straight vaudeville field, eventually overshadowing his straight monologue, to which he had turned. His impromptus saved many a poor program and made good ones better. It was to his influence that the business owes the chatty emcee.

Apart from his stage work Morton was a person of no small influence in vaudeville affairs and was looked up to as a leader. He rose from burlesque to top some of the most important vaudeville bills in a day when vaudeville bills were important. He retained his position until ill-health caused his retirement.

### ED MORTON

Ed Morton, a well known old-time vaudeville singer, credited with popularizing 'I Didn't Raise My Boy to Be a Soldier,' was found dead in his bed at his Wildwood, N. J., home April 11. He had been apparently in the best of health the evening before and attended a picture showing. Doctors pronounced it a case of heart failure.

He gained his original billing, 'The Singing Cop,' while a member of the Philadelphia police force. He was most popular in the early years of the present century but did not retire until about seven years ago, since which time he has been conducting a restaurant at Wildwood on the boardwalk. He held his popularity long after most of his early contemporaries had passed on.

### BERTRAM W. MILLS

Bertram W. Mills, 64, English circus man, died in Chalfant St. Giles, England, April 16, of pneumonia. His annual circus engagement at London's  lympia was as much a feature of the show season as the Ringling engagement at the Garden, and was continued for 20 years.

He was early connected with continental horse circuses and made his initial bow in England with one of these hippodromes. Recently he came into the limelight with an offer of $100,000 for the Loch Ness Monster, which seasonally filled the newspapers with his appearances in that lake. He was the coachman of the ancient stage coach in which two years ago impersonators of the Dickens 'Pickwick' characters drove from London to Rochester over the original route taken by the Pickwick Club.

### DENNIS CURTIS

Dennis Curtis, 53, circus manager and performer, died in Omaha April 13 of pneumonia. Had liberty horse act, dog act and comedy mule turn. At time of death was booked with Cole Bros. circus with his mule act known as the 'Taximeter.'

Besides doing act, Curtis had produced the annual Shrine Circus in Minneapolis-St. Paul for the past 10 years.

Wi  Burial at Lake Geneva,

### PLIMPTON B. CHASE

 limpton B. Chase, 78, prominently identified with theatricals at the turn of the century, died April 4 at his winter home in St. Petersburg, Fla.

A native of Mt. Gilead, Mr. Chase in 1898 went to Washington, D. C., took over the old opera house there, renamed it Chase's theatr  nd inaugurated regular vaudeville shows, which became a pronounced success. Another of Chase's ventures more familiar to central Ohio showmen was Hiawatha amusement park at Mount Vernon, O., which he operated for several years before he became identified with the Washington theatre. Besides his daughter, Mabel, who married B. F. Keith, his widow and a son survive. The body will be brought back to  t. Gilead, O., for burial.

### LARRY WICKLAND

Larry Wickland, 39, former film director, died April 18 in Los Angeles.

He broke into films as a cowboy actor in silents. After working at Paramount's Astoria studio he returned to the Coast as production manager for Mascot and later directed in Mexico City. Up to last year he directed serials for Republic and then joined Sol Lesser as unit manager on the 'Tarzan' pictures.

Widow survives.

### JOE DEMILT

Joseph Demilt, 55, was found dead Saturday (16) in Paterson, N. J., where he had gone to transact some business. Company manager for legit shows had been ill for several years. Death due to heart failure. He was back with a number of Cohan & Harris attractions and also handled 'Irene' on tour.

Deceased started in show business as a stage hand, but had most of his experience  ith the front of the house.

### FRANK BOOR

 rank Boor, manager of London Hippodrome,  ied at his London home April 10, aged 73. Originally an actor, he toured the continent and America in musical and D'Oyly Carte Opera companies. He later became director of Ashton's Royal Agency for five years, then business manager for  oss Empires, then manager of the Hippodrome, which post he held for close on 25 years.

### SAM MAYO

Sam Mayo, 57, old time vaudeville star, died in London March 31. Before the war he was one of the most popular and highest paid comedians, singing lugubrious, and often 'blue' songs clad in a shabby dressing gown, immobile and expressionless.

He collapsed while playing pool at a Charing Cross road club, a week following the death of his younger son. Survived by widow and son.

### HENRIETTA MICHNOFF

Henrietta Michnoff, 25, died at the Will Rogers hospi  l, Saranac, April 11.

Before her recent breakdown she was connected with New York City night clubs for the past nine years. She also saw a little service in vaudeville units.

Remains were taken to Brooklyn for cremation.

### ROY DUNN

Roy Dunn, 50, manager of the Savoy theatre in San Diego for the last eight years, died there April 13 following a heart attack. Having served in the World War, he was given a military burial.

Deceased entered the show business via vaude, and for several years toured with Eddie Gamble. They were billed as the Pringle Bros.

### VONAN WOOD

Vonan Wood, of the former team of Needham and Wood, died in Philadelphia last week. They wer  well known in vaudeville. Her husband and partner, Sam Needham, predeceased her. She was the victim of an auto accident.

A sister, Bertha, survives.

### WILLIAM EPSTEIN

William Epstein, 55, foun  Aztec theatre, and long active in  n Antonio moving-picture house activities, died April 11 at his citrus ranch, near Laredo, Texas. He moved to the border town in 1934.

Survived by his wi  and brother.

### GEORGE HEISMAN

George Heisman, 83, who with a brother once owned the Irwin  ros.' circus, died April 6 at his hom  Cleveland, O. He was active as a  outdoor showman at the turn of the century.

### JACOB KOPALD

Jacob Kopald, veteran Minneapolis film salesman, died suddenly in Minneapolis last week. Widow and a daughter survive.

Interment in Los Angeles.

### HUGO GETTWALD

Hugo Gettwald, orchestra leader and composer died April 2 in Vienna.

**Mrs. Adelina Monaco**, 52, mother of orchestra leader Hugh Monaco, died April 12 at her home in Columbus, O. Also surviving are her husband and two daughters.

**Mrs.  uth Bryson**,  'ife of John G. Bryson of the Hollywood office of Motion Picture Producers and Distributors of America, died in Hollywood April 12.

 **illiam Hetzler**, 30, personal secretary to Ginger Rogers,  ied April 10 in Beverly Hills.

# Cuffo Preview Showing of N. Y. 1939 Fair All Set for Next Week

Preview of outdoor entertainment to be seen at New York World's Fair next year has been set by John Krimsky, exposition's dir tor of entertainment, for the opening day of Fair Preview Friday (29). Three-day preview celebration is to be highlighted by motorcade procession on Saturday (30) and Junior League ball Friday, ith Paul Whiteman's band.

Free gate is set for open air show on Flushing meadows site near the Theme Center buildings. Chorus and some principals from 'Hooray For What!,' musical show on Broadway, are down for iniature musical show.

Other acts scheduled include 110-piece high school band, Mme. Olga Petroff, Mike Cahill, Helen Reynolds' eight roller skaters, Original Atenos, D'Arcy Girls and Dr. Bernard's elephants.

Fireworks display, ith six companies arranging gigantic pyrotechnics, finishes program. Fair officials are counting on a crowd of nearly 300,000 at this free gratis exhibition.

## SAN ANTONIO FIESTA OFFERS TWO CARNIES

San Antonio, April 19.

More than 100,000 visiting firemen are expected to descend on this city this week for La Fiesta de San Jacinto (a sort of Mardi Gras) with all advertising mediums kicki in with plenty of space en la casa (on-the house) all for dear old Our Town.

Fiesta opened Sunday (17) with Beckmann & Gerety, carney, and estern States Shows, both pitched on downtown plazas, garnering most of the coi Outdoor mob doesn't advertise to speak of, but seems to be shing in heavy on constant plug- of other branches of the in-

## Stung by a 'Pal' At St. Looey Track

St. Louis, April 19.

George Ross, a pari-mutuels ticket seller at western race tracks, is minus his roll of $638 because he befriended a fellow worker here last week.

Ross, on his way to Louisville from Hot Springs, Ark., sent dough to a down-and-out pal who was stranded at Hot Springs. In St. Louis Ross footed all bills, entertained, etc. on the promise he would be repaid when the Churchill Downs meet opens next month.

Thursday, both men retired in Ross' room in a downtown hotel. Early the next a.m. Ross awoke to discover that the man he befriended and his roll were gone. Then he yelped to the gendarmes.

## First Rainout

Charlotte, N. C., April 19.

arnett Brothers Circus cancelled its afternoon performance at Hickory April 8 in the face of a downpour of rain. A heavy coating of straw was put on the lot and the night show was iven.

## Supplementing the Whale

Charlotte, N. ., April 19.

ammoth Marine Hippodrome, a museum on a single railroad car, is topping at various Carolina cities currently.

It's an amplification of the whale show, with other sea oddities and some side show attractions. The car is placed on a siding and makes stops of from three to four days. Special bid is made for school children.

## Indigestion?

Lawton, Okla., April 19.

rie Johnson, 33-year-old Negro carny 'fire eater,' is i the Lawton hospital here suffering from burns which resulted when a grass skirt which he wore caught fire from burni torches with which he was racticing his act.

The accident occurred after he had completed his nightly exhibiti

## OHIO OVER-BOOKED

### Three Rail Shows and Many Motorized Tricks in Early Booking

Canton, O., April 19.

ith practically every sizeable industrial city i Ohio already contracted by from one to three of the rail circuses, and three of the major motorized shows heading this way, the state for the next four or five weeks will be the mecca for the whitetops, with no less than eight of the better known shows slated to come in.

It appeared for several weeks that the truck shows would give this part of the country a wide berth due to the early contracting by Cole Bros., Hagenbeck-Wallace and the new Col. Tim McCoy Wild West, all of which will play many stands in the state the first couple of weeks out. The new Robbins Bros. circus will play at least three weeks, the first three on the road, in Ohio. The big show is not due to come in until early June, a full month ahead of previous years.

First of the truck shows, Haag Bros. enters the state this week. Moving close behind the Haag outfit is the Barnett Bros. The third motorized trick is Charley Spark's Downie Bros. This show will play only four days in the state and then head for Pennsylvania, with McKeesport, as the first stop in that state. Show is routed into the usual eastern territory with the New England tour to follow later in the summer.

## Gunning for H-W

Canton, O., April 19.

Because Hagenbeck-Wallace advertised a parade two weeks in advance of its play date here last May and then dissapointed thousands who lined downtown streets, Mayor James Seccombe , here said he would authorize no permit for this circus here as long as he was the city's chief executive.

So far no representatives of this show have sought a permit to show here this season.

### H-W'S EASTER SERVICE

Indianapolis, April 19.

Hagenbeck-Wallace Circus, booked here for Easter Sunday and day following, brought forth a storm of protest from church groups, who objected to the Sunday showing.

Big top changed plans, put on performance on Saturday and Monday, matinee and evening, and held religious services in tent on Sunday.

Cole Brothers Circus booked here for Saturday and Sunday, May 7 and 8.

### OPENS UNDER AUSPICES

Charlotte, N. C., April 19.

The Mighty Sheesley Midway is furnishing the midway attractions for the Kni ht of Columbus spring festival her It is the Carney's opener.

## *News of Dailies*

(Continued from page 52)

suit in L. A. Defendants are the husband's parents and Mrs. Helen Kenross Jefferson, his second wife.

Possible rift between Dolores Costello and her father, Maurice, was disclosed last week when the actress conferred privately with District Attorney Fitts in L. A. Costello had previously asked officials about a parent's right to financial support by his children.

Henry Lehrman, film writer-director, was freed of intoxicated driving charges by a jury in L. A. Trial resulted from an auto crash in which two were injured last Christmas Day.

Making one of his frequent L. A. court appearances in his latest domestic rift, Stan Laurel disclosed that his income is $160,000 a year, which he is paid for making two pictures.

Ceiling, weakened by rains, showered plaster in the Marcal theatre, Hollywood, April 10, injuring 10 persons.

Los Angeles court granted Mrs. Justine Johnstone an interlocutory decree of divorce fro alter Wanger, film producer.

Dixie Dunbar, film actress, announced her impending marriage to an Atlanta, Ga., man and her retirement from pictures.

### Billing a City

Atlantic City is set to alter l official billing from New Jersey to U. S. A. Idea suggested by Leonar Traube, p.a. for Hamid's illion Dollar Pier to Chamber of Commerce, which will act on the matter this week.

Traube started gag on his advertising matter for the Pier tagging off A. C. address with USA instead of N. J.

## Frisco Gets Tag For Midway, Ends Labor Disputes

San Francisco, April 19.

'Gayway' is the name selected for the fair fun zone out of 457,447 names submitted in the $1,000 contest staged by the Golden Gate International Exposition. There were exactly 1,799 persons who submitted the word. The judges of the contest must now pore over some five-word slogans in a new contest to see who of the 1,799 gets the capital prize.

Dorothea Gray, Oakland dancer-actress and former Metro player, has won the part of Lotta Crabtree in the Cavalcade of the Golden West to be staged at the fair. Relatives of the state's most famed actress who still reside here have insisted that Lotta be de-umph-asized. Director A. L. Vollmann wanted her Mae Westish but now fears he will have to swing her more towards Mary Pickford. In reality Lotta was a soubret, more on the Fritzi Scheff type.

The pile drivers dispute which tied up construction at the air site has been settl , with decision of warring factions to consolidate.

Another union, Artists Union of San Francisco, has sprung up to get in the hair of expo officials, already beleaguered by controversy over what is art. The new group, led by Lawrence Holmberg and unaffiliated with either AFL or CIO, demands $15 per square foot for Treasure Island murals, of which there will be 15,000 square feet. Last fair paid $8 a square foot. The hitherto-unheard of outfit demands collective bargai ing rights for all Fair artists and hangs picketing threat over heads at headquarters.

## TO SEEK AUTO RECORD ON BONNEVILLE FLATS

Salt Lake City, April 19.

Seeking the world's automobile speed record 'purely for fun,' a London fur broker, John Cobb has informed Salt Lake City chamber of commerce, of his impending assault on Utah's famed Bonnevile salt flats in August to shatter the existing mark of 311.42 m.p.h. established by another Cockney, Capitan G. E. T. Eyston, last fall.

Cobb's new aluminum, turtle-shaped automobile, which he believes will attain a speed of 400 miles an hour, will be shipped to Utah sometime in July.

Bonneville salts flats, 120 miles west of here, has supplanted Daytona Beach, Florida, as the site for automobile speed records.

## Last of 101

Oklahoma City, April 19.

Fourteen show wagons, last remaining equipment of the former 101 Ranch wild west show, have been purchased by the Bill Hames shows of Fort Worth.

### Pollack's Indoorer

Victoria, B. C., ril 19.

Pollack Bros. Circus opened here yesterday (18) for six day engagement. Show goes into Vancouver next week as first indoor circus to play town in three years.

Latter city has always been a high-gross stand for arnes-Sells-Floto but generally poor for indoor tricks.

## CIRCUS ROUTES

**Week of April 25**

**Bros.-Beatty-Maynard**

Chicago:

**Ringling Bros.-**

New York.

**Al G. arnes-.**

Monterey, Calif., 25; an

Mateo, 27, San [illegible]:

# Show-Must-Go-On Tradition Kept Ringling Circus Open with Minor Cuts; 2-Day AFA Strike Settled

Strike of the manual laborers in the Ringling, Barnum & Bailey Circus at Madison Square Garden, called by the American Federation of Actors, was called off Thursday (14) after three performances had been given during which the wild animal acts were deleted and the spec cut down. Business was hardly affected as it was the slack period, prior to the Easter holidays. On the credit side the big top never received such a hefty press, with reporters and cameramen straying all over the outfit.

There were clear indications that the strike was unpopular, rather regarded interference with an American institution, not only among the public but the performers. Stubbornness of the union in ordering the walkout and refusing to arbitrate was the factor in shaping that sentiment. Those attending the performances looked upon the pickets with disfavor and there were audible audience remarks about racketeering.

Assumption of the AFA leaders that the performers would not pass the picket line proved entirely incorrect, although there was no initial intention to call them out. The big top performers not only went through their performances but donned work clothes and helped adjust the rigging of other acts, also helping in the props department. Many of the artists and acrobats are foreign, and they grumbled in no uncertain terms over the strike, wondering why they had joined a union, since they are under contract for the season.

Differences between the management and the union were finally settled after a long session which lasted most of Wednesday night. Understood that Arthur Mayer of the N. Y. State Mediation Board, well regarded in show business, was the influence that brought about the adjustment. Principals present were John Ringling North, newly made president of the outfit, Ralph Whitehead for the union, and George Smith, show's new general manager.

**50% Wage Tilt**

It was a 50-50 settlement, union getting half the wage boost demanded. Riggers, animal men and razorbacks were getting $7 weekly and keep or about $30 monthly. That is the winter quarters rate which the circus management contended extended during the indoor dates at the Garden, also in Boston. New wage is $45 monthly plus keep at the bunkhouse, same going for Boston. Under canvas the wage is $60 monthly the figure sought.

During the mediation session, Whitehead was asked why he had breached the clause calling for a 10-day period before any walkout to afford arbitration. He contended he 'could not hold the men' and that as they had not been paid for the first week, the stipulation did not apply. Claimed that the proceedings be kept secret, but it is understood there was plenty of hot language.

Surprising inside on the circus's finances was reported. Stated that last season the show did not turn a profit, mostly because of the increase brought about by the outfit's unionization. When the Ringling family recaptured the show, that move was made after the Ringlings figured they might otherwise lose the property. It impell young John North to secure a loan of around $1,000,000 to buy back the mortgage held by a subsidiary of Prudence Bonds. General idea that the Ringlings were able to regain control beca se of the show's earnings appears to have been incorrect.

**Backgrounded in Brooklyn**

Ringling show was unionized on the lot in Brooklyn last May. Smith, who had been dismissed by Samuel W. Gumpertz, former managing director, acted for the union. It is declared, however, that Gumpertz refused to do business with AFA unless Smith was discharged. Correspondence between Gumpertz and Whitehead, as indicated by copies of letters in some instances, are said to be in the possession of the Ringlings to prove the contention. Smith was in the paradoxical position of having started the unionization and now forced to act for the employer end. He was brought on fro the Barnes circus to take charge after Carl T. Hathaway died. Latter had been appointed manager the show was being readied at Sarasota for the new season.

When John North asked for time to stave off the walkout, stating he had a board of directors to account to, the union refused to hold off. Board then met and named the 38-year-old executive as president of the corporation, that post being vacant since the death of his uncle, John Ringling.

There were many volunteers working as property men and such during the walkout. Some not connected with the show tugged at ropes and wires, so that 'the show must go on.' Included was Henry (Buddy) Ringling North, head of press relations, the performers, clowns and others who helped fill the breach. It was this spirit that kept the show from shutting down.

Other unions refused to be volved. The band played on. Theatrical Managers, Agents and Treasurers union, which covers the press and box office ends, told its people to stay on the job. TMAT called an emergency meeting of its board and asked Whitehead to attend. He refused.

First performance given without the men saw the heavy cage of the gorilla, Gargantua, the show's No. 1 feature, being hauled around the arena by several scores of men. Thereafter, the Garden's electric trucks did the trick until the strikers returned and horses again were used.

## Advice Given Oklahomans On N. Y. C. Behaviorism When Visiting '39 Expo

Oklahoma City, April 19.

In an editorial titled 'Perils of the City,' the McAlester (Okla.) News expressed the following sentiments concerning visits of citizens of the Sooner State to the New York World's Fair:

'When you go to New York to visit the World's Fair at Flushing, you may come home with a few gold bricks or a deed to the Empire State building, but you won't have your pockets picked if the state legislature at Albany has anything to do with it.

'Of cour. in their zeal the state senators may have made New York a little unsafe for sightseers when they unanimously voted that the act of 'jostling' which accompanies the act of picking a pocket should be a misdemeanor carrying a jail sentence up to three years.

'Just what will happen when you stroll down Broadway, bump into a stranger and he cries 'jostle,' we don't know. You can explai that you were fascinated by the ani ated cigaret ad . . . . Maybe they'll be lenient with you.'

## Hoot Gibson with Robbins

Chicago, April 19.

Robbins Bros. circus, new trick by Zack Terrell and Jess Adkins, will open in Kokomo, Indiana, April 30.

Hoot Gibson will be with the show as western pic attraction.

## Easier on Shows

Lynchburg, April 19.

More lenient attitude toward circuses has been promised by City Council as result of Downie Bros. moving show outside corporate limits because of high tax and rental fee on city-owned lot.

Council instructed mayor and city manager to look into matter of scaling down rate.

### NEB. NEEDS BOOKMAKING

Lincoln, April 19.

Pari-mutuels stay in style at the Nebraska State Fair this year, after announcement by Secretary Perry Reed that hoss-machi re necessary to show a profit.

Barney Oldfield, amus ed Nebraska State Journal, was to handle publicity for the year in a row. Starts a

# *Beauty the whole world thrills to—*

## She protects her Loveliness the Hollywood way

*"I use Lux Toilet Soap—it keeps my skin so smooth"*

SAYS MYRNA LOY

ONLY the *finest* soap can guard Myrna Loy's precious complexion—that's why, like 9 out of 10 other stars, she chooses pure, mild Lux Toilet Soap.

This gentle soap has an ACTIVE lather that *thoroughly* removes from the pores stale rouge and powder, dust and dirt. It keeps skin smooth, soft—at its loveliest.

Why don't *you* take Myrna Loy's tip? Guard your complexion with the simple care that famous Hollywood stars find so effective. Use Lux Toilet Soap regularly, before you put on fresh make-up during the day—ALWAYS before you go to bed.

You'll find this luxurious white soap makes a wonderful beauty bath, too—leaves skin fragrant, *appealing*.

SEE

*Myrna Loy*

IN

METRO-GOLDWYN-MAYER'S

**"TEST PILOT"**

NOW SHOWING

LOCALLY

**GIRLS EVERYWHERE USE LUX TOILET SOAP AS A BATH SOAP, TOO**

I TOOK A TIP FROM THE SCREEN STARS. BEFORE A DATE I ALWAYS MAKE SURE OF DAINTINESS THIS WAY
ACTIVE LATHER REMOVES STALE PERSPIRATION THOROUGHLY—LEAVES A DELICATE FRAGRANCE ON YOUR SKIN!

**9 out of 10 Screen Stars use Lux Toilet Soap**

RADIO SCREEN STAGE

# VARIETY

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# URGE U.S. RADIO STATION

## Rockefellers' Show Biz Gross, In R. C. Chiefly, Around $7,000,000 a Yr.

Casual survey of the Rockefellers show biz interests reveals that they have a finger in virtually every phase of the amusement industry. Direct annual gross is approximately $7,000,000.

Broken down, or up, Rockefellers' yearly gross at the Radio City usic Hall is almost $5,000,000; niteries, the Rainbow Room and Rainbow Grill, $1,000,000; an unestimated take from the Center theatre, which is officially regarded as 'not having found itself'; and $500,000 from the sightseers making the 40c and $1 Radio City rubberneck jaunts. This does not include the Williamsburg (Va.) project; the returns on landlording the entire Rockefeller Center project, the Chase Bank (Rockefeller-controlled) holdings in 20th Century-Fox, or the credits against RKO.

Although individual members of the family may be reluctant to consider themselves showmen, this would appear to be an ostrich-like attitude, since their show business ventures are among the biggest enterprises of the kind in the country. Within a decade, the family fame of oil, golf, dimes and philanthropy has extended to embrace physiognomy, choreography, cinematurgy, drama-

(Continued on page 29)

## Lawlessness Brings Nitery Check on 2 Oil Towns in Oklahoma

Stillwater, Okla., April 26.

Sheriff L. L. Fisher has slapped the lid on niteries and dance halls of Payne county's two newest oil field boom towns, Paradise and Gray City. Fisher cracked down after he was called to quell about 50 drunks fighting in the streets of the twin cities.

Night life in Oklahoma oil field boom towns is notorious for its wholehearted wildness. Several years ago, Bud Blue, a deputy sheriff, killed 11 men in nine months while cleaning up Ragtown, one of the more boisterous spots, where nitery operators had guards in bullet proof cages day and night.

Blue's method of cleaning up the town was simple. He ordered a nitery curfew hour, then drove down the streets in a high powered car, pumping shot into every door without a padlock.

## Gest Impresarioing Midgets at '39 Fair

Morris Gest signed with officials of New York World's Fair Monday (25) for the midget city concession. Fair had several other deals on for the gag, but selected Gest.

He sails for France today (Wednesday) where he will sign up troupe of Gallic shorties for the event.

### Funerals by Telephone

Tacoma, April 26.

A mike has been installed in the funeral church of Buckley-King here to pick up sermons, organ music and singing to transmit to amplifiers in all parts of the building. In addition, ear phones have been provided for persons who are hard of hearing.

It is also possible with the equipment for those unable to attend a funeral service to listen over their telephones in their own homes.

## NIX UNCOOLED B'WAY LEGIT HOUSES

Number of managers are refusing to use Broadway theatres not equipped with up-to-date cooling systems. Such a situation is reported to have arisen in the booking of 'I Married an Angel,' promising new Dwight Deere Wiman musical.

Understood the Shuberts proposed spotting 'Angel' in the Imperial. Producer is said to have replied that the house would be acceptable if an air-conditioning plant were installed.

'Angel' is also mentioned as a possibility for the Winter Garden, which has a modern cooling plant. If that booking is consummated 'Hooray for What' will probably move to another Shubert-operated theatre. Others available in addition to the Imperial are the Majestic, Shubert and 46th Street.

Imperial has operated through the summer period several times, despite the fact that it is considered difficult to maintain a moderate temperature there during hot weather. Reason is said to be the presence of steam pipes in the basement. Pipes supply nearby hotels with heat and hot water and belong to a utility company.

## Jimmy Walker's Slant

Jimmy Walker, former mayor of New York, was asked by Ed Wolf, talent agent, why he didn't look for a comedy spot in radio. Occasion was Walker's m.c.'ing of a program with which WMCA, N. Y., saluted itself on its new studios.

Reply was that it would hurt the Walker rep as a lawyer. 'Judges and juries might look upon me as a comedian in the courtroom and laugh at my pleas.'

## FASCIST BLASTS MOTIVATE IDEA

### Several Proposals in Washington for United States to Actively Enter Broadcasting for South American Counter-Propaganda Against Europeans

### ARMY AND NAVY

Washington, April 26.

Proposals to put the U. S. Government directly into the radio business—under the cloak of promoting good-will between Western Hemisphere republics—gets Congressional consideration as soon as the billion-dollar Navy bill is out of the way.

With another measure for Federal operation being dropped in the hopper, movement to construct a publicly-owned transmitter as means of bolstering international relations, as well as to provide education for the peons, moves forward on three fronts. Two sets of legislative hearings are in the cards and idea is about to receive pat on the back from President Roosevelt's special committee on international broadcasting.

Initial move slated in the Senate where Naval Affairs Subcommittee, chairmaned by Senator Homer Bone of Washington is readying to get reaction to suggestion of Senator Dennis Chavez of New Mexico that Congress authorize a high-powered short-waver at San Diego. No date set, but the House Naval Affairs Committee expected to hold hearings before adjournment on the rival bills of Representatives Emanuel Celler

(Continued on page 36)

## HILLBILLIES FORM UNION

Pittsburgh, April 26.

Claiming musicians' union was forcing them out of work because they didn't hold cards, hillbilly entertainers in Pittsburgh district have organized a closed shop of their own, with Tex Harrison as president. More than 167 signed up at the getaway and a drive is now on to make the membership 100% among the 450 odd hillbillies in this section.

Circumstances forced them to organize, Harrison said, in self-defense. Regular union refused to admit them, charging they couldn't read a score and that the noise they made really wasn't music anyway.

Group calls themselves the Hillbilly Entertainers Union and are open for offers of national affiliation from either AFL or CIO.

### 2-for-1 Eatery

Minneapolis, April 26.

ith business anything but forte, even one of the leading Twin City eateries, the Hotel St. Paul, has gone in for two-for-one's.

It advertises that in its swanky Club Casino, with every two meals ordered, one will be given gratis.

## B'WAY NITERY'S DAYTIME ICE SKATING

International Casino on Broadway is flirting with the idea of introducing cocktail hour ice skating for patrons, coincident with the opening of Music Corp. of America's 'Ice Frolics' on May 7. Would be only summer ice-skating rink in New York.

Patron cutting-up would only be permitted during the afternoon session. Show of 29 people would occupy surface at night. Ice is to be covered with removable planking for dancing. Question of public liability insurance is holding up consummation of plans.

## SPONSORED NEWS IDEA AS BROADWAY AD GAG

Sponsored news flashes are slated for Broadway. Flash News Corp. has just concluded a three-year lease with Loew's State Building, renting part of the facade for news reports in lights similar to the N. Y. Times ring around its building. Idea is to guarantee advertisers nightly plugs, starting around June 1. Deal is pending with the United Press to furnish news at $13,000 annually.

Wilson's Whiskey now has a sign on Broadway presenting animated cartoons in electric lights.

## Stoki's Okay on Script

Philadelphia, April 26.

Next film for Leopold Stokowski probably will be an original by Sara Colton, wife of Max Zalstein, Philly Orch fiddler, which will keep it all in the family. Miss Colton submitted her script to Stoki and received suggestions for revisions from the Villa Cimbroni, where the maestro and Garbo were resting.

Blond podiumist declared he liked new script better than his last, '100 Men and a Girl,' because 'it is more like' himself.

## NBC Wants Own H'wood Postoffice, But Neighbor CBS Sniffs a Rodent

Hollywood, April 2

If the rate of progress now being made is continued without interruption, NBC will send out its first show from the Sunset-Vine site by Aug. 15. That's forecast of Don Gilman, who also states that NBC's expenditure for the new plant would top Columbia's. Latter's figure has varied progressively from $1,250,000 to $1,750,000.

Two networks, neighbors on the Coast for the first time, are wearing a sneer even though Gilman plans to deck out in tails for the CBS opening (20). After Prexy Lenox Lohr officially christened the new NBC site Radio City, Columbians nudged a little close for their rival's comfort by tagging their spot Radio Center. As if to return good for evil, NBC then announced that the steel construction would be of the new welding type, which would eliminate the disturbing riveting noises on beams and girders.

No sooner had the Paleyites given thanks than Gilman ups with a proposal that has CBS virtually up in arms. It is Gilman's plan to have a postoffice branch at Radio City to handle the box tops and other postal

(Continued on page 8)

## Shirley Temple P. A. At Radio City With Bill Robinson, Maybe

Hollywood, April 26.

Personal appearance by Shirley Temple, teamed with Bill Robinson, at Radio City, is awaiting Darryl Zanuck's okay. 20th-Fox production chief recently banned any personals by the moppet.

Robinson told friends the tot's mother is agreeable if Zanuck approves.

Act would be a dance routine by Robinson, and songs by Shirley Temple.

## JITNEY PHONOGRAPHS NOW A DRUG ON MKT.

Finding it necessary to take back a lot of mechanically operated phonograph machines from bars and other places where installed, due to inability to collect on the 5c-a-tune music boxes, the Wurlitzer plant near Buffalo has shut down entirely. Up to a few months ago, with the phonograph machines being widely spotted, the company was operating 24 hours daily.

Agents handling the machines had to put up 25% of the cost of installation, with balance to be collected out of the profits from the nickels going into them. It is understood it has been difficult making these collections, forcing repossession of the music boxes.

# GENERAL BUSINESS PROSPECTS WILL DETERMINE TERMS FOR '38-9 SELLING

## Exhibs, Per Usual, Want Cuts on Percentages—Distribs Argue That the 1936-37 Spurt Left' Em Holding the Bag—D. C. Powwows Important Factor

Big battle between exhibitors and distributors in the 1938-39 selling season is expected to hinge on how much attendance has slipped since the 1937-36 sales campaign and what the prospects are for the same to climb back next season.

Exhibitors admitt ly are gunning for reduced percentages on product. They contend that the box office shows just how much attendance has slipped from anticipated figures for the latter part of 1937 and this year. Their claim is that percentages for 1937-38 were based on such anticipated business that never materialized. Hence, exhibs are squawking they are saddled with product on which percentages range 3-5% higher than in the pr ing year, while they have to contend with that slump at the gate.

But it works to ways, aver the distribution companies, because they too have felt matters, as the return from percentage pictures has dipped below expectations. Nevertheless what the exhibitor is interest in right now is bearing down to secure reduced percentages for 1938-39 product. They claim that the number of admissions taken in during the last nine months j tifies it.

Another exhib plea is that the business slump has prevented them from placing in effect the higher admission prices they planned, or to keep them in effect if they actually had been inaugurated.

Distributors back up their drive for retention of present percentages by pointing to benefits exhibitors derived from the 1936-37 program product. As in past seasons, percentages were based on the attendance for the previous 12 months.

Thus for 1936-37 pictures, distributors figured their percentages largely on what business had been coming into theatres during 1936. In this lag, when they obtained films on rental percentages that were based on 1936 attendance, the distribs were left holding the bag while the exhibs benefited from the tremendous spurt in attendance.

These factors are certain to enter into the annual sales campaigns of all film companies. Which probably is why a majority of producers are holding back on widespread selling until they possess a better summary of the business picture for the next 12 months.

## J. G. MAYER BECOMES METRO'S STUDIO MGR.

Hollywood, April 26.

Appointment of J. G. Mayer as Metro's studio manager was made Monday (25) by E. J. Mannix. Takes over from William Koenig, heading the studio purchasing department the past 18 months, which post he also retains. Koenig is now in the studio executive department, working under Mannix.

J. G. is a brother of Louis B. Mayer.

### Robinson's 2c 'Murder'

Hollywood, April 26.

Edward G. Robinson has been assigned the lead in Warners' 'Murder for Two Cents.'

Richard Macaulay and Jerry Wald, who authored the original, are at work on the screenplay.

### L. A. to N. Y.

A. L. Berman.
Dave Butler.
Dr. S. C. Colin.
Nadine Connor.
Eddie Davis.
Owen Davis, Jr.
Rufe Davis.
Marlene Dietrich.
Will H. Hays.
James Hilton.
Frank Melfor
Ethel Merman.
Joe Penner.
Luise Rainer.
Phil Regan.
Elmer C. Richardson.
Rosalind Russell.
Alfred Werker.

## DIETRICH AT 20-FOX FOR ONE, COL. TWO

Hollywood, April 26.

Marlene Dietrich, recently released by Paramount, has been set for four pictur , one for 20th-Fox and two for Columbia. Darryl Zanuck will probably set her opposite Ronald Colman in 'The Rains Came.'

Columbia contract calls for one picture a year. She starts after Frank Capra finishes 'You Can't Take With You' and is now east and will vacation abroad.

## SEE 'SHOW BOAT' BLEND WITH 'OLD MAN'

Hollywood, April 26.

Metro's $15.000 story buy of an original, 'Old Man River,' by Oscar Hammerstein 2d and H. S. Kraft, ties in with 'Show Boat,' by Hammerstein and Jerome Kern, which rights Metro recently acquired. Latter under a $200,000 script deal with Universal, including 'Madame Curi ,' and other properties, in exchange for which U will have certain borrowing powers on Metro stars.

While the 'Show Boat' operetta (based on the Edna Ferber novel) was made and re-made by U, the tie-in with 'Old Man River,' its new screen original, makes possible a blending of certain elements from the two stories.

Si ilar to the 'Old Man River' idea, a deal set last week for the screen, radio and television rights to the title 'Ziegfeld Follies' was closed by Metro in New York with Mrs. Billie Burke Ziegfeld and the Shuberts, who retain the stage production rights to the title.

M-G also produced reat Ziegfeld' with Miss Burke's titular and script approval, in 1936.

'Follies' idea is intended for an annual filmusical series by that name. Consideration is said to have been $90,000.

### SAILINGS

May 4 (New York to London) Margaret Webster, Derrick De Marney (Normandie).

May 4 (New York to London) Florence Vandamm (Washington).

April 30 (New York to Genoa) Rosalind Russell (Conte di Savoia).

April 30 (New York to London) Mr. and Mrs. Frank Melford (Paris).

April 27 (New York to London) Marlene Dietrich, Paul V. Carroll, Lady Cedric Hardwicke, Robert E. Sherwood, Mrs. Erno Rapee, Edward Klauber (Queen Mary).

April 27 (New York to London) Lotte Lehman, Jan Kiepura, Frances Faye, Jean Tennyson, Morris Gest, Robert Tenger, L. S. Snider (Ile de France).

April 27 (Paris to New York) Belle Didjah (Normandie).

### At Last

Hollywood, April 26.

Bing Crosby finally has chance to win a horse race, by courtesy of Paramount.

Ten Crosby hayburners will run in the racing sequences of Sing You ingers' at nearby Pomona Fair Grounds.

## PROD. LULL AT RKO BROKEN

Hollywood, April 26.

ing production after two idle weeks, RKO starts three features and a short this week. Briefie will start the renewed activity today (Tuesday) with Bert Gilroy producing.

'Cheating the Stars,' Cli Reid production, goes before the cameras tomorrow (Wednesday). It will be followed by 'Border G-Man,' George O'Brien western, and 'Mother Carey's Chickens,' ith Ruby Keeler, Fay Bainter, Shirley and Jackie Moran cast.

## SCOTLAND YARD WILL BE FILMED BY GOLDWYN

Hollywood, April 26.

Samuel Goldwyn has announced plans for the fil ing of 'The Yard,' based on the founding of Scotland Yard. Idea was suggested by Frances Manson, his story editor, and during his recent London sojourn, Goldwyn enlisted the British police force's cooperation.

Picture will be filmed here late in the fall, with Gary Cooper and Merle Oberon in the leads.

### ARRIVALS

Poultney Bigelow, Mary Pickford, Sam Goldwyn, Alexander Korda, Gerald Savory, Charles L. Tucker, M. A. Schlesinger, Ben Henry, Edward J. Raferty, David Rose, Maurice Silverstone, Paul N. Turner, Frank Gillmore, Ronnie Ames.

## Mrs. William Fox's Legal Respite In All Continent Quiz

Philadelphia, April 26.

Mrs. va Fox, wife of the former producer, was cleared by the U. S. Circuit Court of Appeals here yesterday of a contempt of court charge that resulted from her walki out on a bankruptcy referee's court in Atlantic City two years ago. She was being quizzed at the time on the financial operations of her husband, William Fox.

Court not only freed her of contempt charges, which were lodged against her by Federal Judge John Boyd Avis, of Camden, but also declared that she need not subject herself to further questioning until her mental and physical condition improve. Stress of testifying, it was claimed by Mrs. Fox's attorneys, brought on an illness as result of which she is now confined to a sanatorium in New York.

Dr. Ross V. Patterson, dean of Jefferson Medical College, aided Circuit Judges Buffington, Davis and Thompson on arriving at a decision as to wheher rs. Fox is able to stand further uestioning at this time. Physician engaged by Fox's creditors insisted she was able to testify, while her own doctor just as decisively insisted such a strain would cause her to collapse completely, and might be fatal.

As a result, r. Patterson was called in several weeks ago by the court to make an independent examination. He reported that Mrs. Fox is too sick, mentally and physically, to withstand the ordeal, and that an attempt to question her now might have serious resul

Fox went into bankruptcy two years ago. His creditors charge that he transferred about $7,000.000 in assets to the All-Continent Corp., a holding company of which his wife is president, just before he went bankrupt.

rs. Fox 'went to pieces' while being questioned on this deal before Referee Hiram Steedle in Atlantic City on Aug. 25, 1936. She strode out of the room and refused to return, pleading illness. Judge Avis held she was in contempt of court.

In the decision read by Judge Buffington yesterday, however, she was purged of the contempt. The ruling declared, nevertheless, that Fox's creditors are 'entitled to have Mrs. Fox testify and answer any questions relating to any transactions with the bankrupt when she is mentally and physically able to do so without serious risk to her health.'

## U Studio's Personnel Pruning Figured to Save 125G Annually

Hollywood, April 26.

Reorganization plan at Universal is expected to consolidate 40 departments into 25 by the time Matthew Fox, assistant to prexy Nate Blumberg, and Val Paul complete the new alignment. Among department heads dropped from the payroll is Harry Zehner, longest of the old Universal employees on the lot, and 20 years with the company. He relinquishes the post of censorship contact with the Hays office to Maurice Pivar, who combines that job with that of editorial chief. Another Laemmle veteran, Gil urland, is dropped from the post of music department biz manager. Department is being abolished, as the studio is making no musicals for the new son.

Restaurant is to be leased out as John Steinberg is abandoning operation thereof so he can devote his full time to his own Victor Hugo in Beverly Hills. Prerecording department is merged with sound setup. Homer Trasker, sound recording head, leaving at expiration of his contract, and succeeded by Bernard Brown, prerecording supervisor, who combines both jobs.

Also off the payroll went seven story readers, hired to dig up old yarns and keep script filing department up to date. Clerks, stenos and other workers also let out, with studio not up to normal production.

Eli ination of unnecessary manpower is figured to save studio around $125,000 annually.

Due at the studio late this week are William Scully, general sales manager, and Joe Seidelman, foreign chief, who will discuss production lineup and return east next week with Fox. Seidelman is recently back from London, where he negotiated a $1,000,000 loan from National Bank, Ltd., part of which was used to meet outstanding indebtednesses.

John E. Joseph, Universal's advertising-publicity chief, trained for the Coast Monday (25) for confabs with Nate Blumberg and Charles R. Rogers on 1938-39 product.

William Scully, sales anager, and J. H. Seidel an, foreign department chief, reach Hollywood a few days later, being scheduled to leave N.Y. next Friday (29) by plane. atthew Fox, Blumberg's assistant, and Marshall Grant, eastern story ed and talent man, already are on the Coast.

## Other News of Pix Interest

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## METRO SKIPS 2 RELEASES; SHORTAGE?

In a situation called unprecedented for a major distributor, Metro is skippi two more release dates in May, giving the outfit only one feature release in a six week period. After failing to release April 1, 8 and 15, the company announced no features are schedul for April 29 and May 6.

In releasing 'Test Pilot,' M-G gave exhibs only tone grade A picture in nine weeks. Next Metro releases are 'Hold That Kiss' for May 13, and 'Swiss Mi ' May 20.

Theatre operators are hard put to get past the Metro deficiency. Unless production picks up, exhibs are facing severe shortage during the summer months. This applies more or less with other companies, hence the early announcements of summer season reissues.

## Q. T. REVAMP OF REPUBLIC PICS

Hollywood, April 26.

Complete new production alignment is expected to be announced at Republic's convention here May 2-5 by board chairman Herbert Yates.

Understood that some time Yates decided on a sweepin rehabilitation of the studio, and planted efficiency men on the lot to check on all departments. Shakeup will move many around and drop others from payroll.

Yates is planning an augmented player list and new actors, producers and directors.

Although James R. doesn't move into the Rep presi until his Universal contract expires May 27 he has been working with Yates on the reorganization.

Moe Siegel, current studio production chief, and long-time personal friend and associate of Yates, is reported keeping that post.

## U Will Spend Million On Durbin's 'Cinderella'

Hollywood, April 26.

Budget for 'Cinderella,' Deanna Durbin starrer at Universal, has been hopped up to $1,000,000.

Technicolor picture, based on the old romantic legend, will reunite Joe Pasternak as producer and Henry Koster, director. Bruce Manning and Felix Jackson, who wrote 'Mad About usic,' screenplaying.

## '39 Fair's Film Yen

The New York World's Fair is attempting to get picture compani interested in boosting the 1939 exposition. It is aside and apart from newsreel coverage but is supposed to extend to other activities.

In tribute to the World's Fair, Radio City Music Hall will produce four more stage shows dedicated to the '39 venture. The first of the units will bear on the World's Fair Motorcade and be in the manner of a sta preview of the ex sition. Leon Leonidoff to produce all the presentations, first of which opens tomorrow (26).

### N. Y. to L. A.

Barney Balaban.
Claude Bragdon.
Tom Brooks.
Bilie Burke.
Dinty Doyle.
Nick Kenny.
Terry de Lapp.
Samuel Goldwyn.
Stanton Griffis.
Russell Holi
William G. Kin
John McLain.
Merle Oberon.
Jo Ranson.
Gregory Ratoff.
David Rose.
Aaron Stein.
Kurt Weill.
Herbert J. Yates.

# NEW PIX BILL-$158,000,000

## Irving Trust's Report on RKO Shows Co.'s Consolidated Cash at $5,282,613

According to the sixth report of the Irving Trust Co., as trustee of RKO, filed in Federal Court Friday (29), RKO's consolidated cash mounts to $5,282,613, of which amount the parent company possesses $520,000. It's understood that Keith-Albee-Orpheum, chief theatre subsidiary of RKO, comprising around 64 houses, has approximately $2,500,000 cash. Balance of the $5,232,613 is spread among various other subsidiary firms.

RKO's net, as previously indicated, 1937, is $1,821,165.

RKO-Radio Pictures, Inc., and subsidiaries lost $236,909. The RKO theatre end, inclusive of KAO, netted a profit of $1,483,281. Understood that KAO's profit was around $1,200,000. In 1936, RKO's over-all profit was $2,485,918.

During 1937, RKO reduced its fixed indebtedness by $2,230,000. Also, Stadium Theatres Corp., a subsidiary, paid $700,000 for the assets of the Orpheum Circuit, Inc. Inventory of films, stories and continuities, and so forth, increased around $2,800,000.

Pathe News, ., made a profit of $63,011.

The aggregate, outstanding amount of principal amount of secured % gold notes (Chemical Bank) was reduced from $350,000 to $200,000 since Aug. 1.

Those handling RKO's reorganization again were not ready to go on with the proceedings when the matter was called for hearing Monday (25) before Federal Judge William O. Bondy. Principal counsel to creditors and proponents were 'out of town,' and the court granted another delay, this time for three weeks, until May 16.

It has become debatable whether new underwriting money is necessary. Atlas once offered to put up $2,000,000 for this purpose, and afterward is understood to have chilled because of market conditions.

Floyd Odlum, head of Atlas Corp., is personally handling RKO's reorganization.

Also looks like that intended deal for the M. J. Meehan shares in Keith-Albee-Orpheum, for $3,100,000, is chilly, if not altogether cold, for similar reasons, among others.

## Schenck Ends Studio Confabs, Returns East; Lichtman Stays West

Hollywood, April 26.

Nicholas M. Schenck concluded two weeks of studio conferences at Metro and trained east last Friday (22). With Louis B. Mayer, Al Lichtman, Eddie Mannix and other studio execs and producers he discussed program and production plans for the 1938-39 season. Current setup at the studio will not be disturbed as all production heads have their assignments for the new crop of pictures.

Lichtman has temporarily postponed his trip to London and will make his headquarters here. He had planned to go abroad for the filming of 'The Citadel.' He is shopping around for a Beverly Hills home.

## Jack Curtis Agency Pard With Max Winslow Pends

Jack Curtis, now on the Coast, will probably go into the agency business with Max Winslow. Latter has resigned from Columbia Pictures studio, where he was a production executive, and has been taking it easy the past couple of months.

With Curtis' desire to remain in Hollywood, both are talking an alliance out west.

Curtis-Allen agency east may continue as is, Charlie Allen repping in New York, but having no desire to otherwise tie in on the Coast end.

### Raising the Duce

Hollywood, April 26.

Most valued trophy of a major studio chief was a large autographed portrait of Benito Mussolini. For more than a year it hung in his private office. Director, who just finished his picture, was invited into the office to sign a long-term contract. 'Not until you have proved your friendship by putting my photo in Mussolini's place,' he bargained. The director's portrait replaced Il Duce's next morning; but for weeks he refused to sign the contract, although the studio chief kept after him.

Recently the Mussolini picture was back in its old place. The director had signed with a rival outfit the night before.

## PAR'S POWWOW WEST ON '38-9 BUDGETS

Hollywood, April 26.

Biggest production splash in months was touched off at Paramount with arrival on Tuesday (26) of Barney Balaban, Stanton Griffis and Russell Holman. Eight pictures go into production within the next 30 days, to complement seven now before cameras.

Executive trio remain at the studio two weeks for confabs with Adolph Zukor, William LeBaron and other plant execs.

Portion of the 1938-39 program, unannounced at the Washington sales meet a fortnight ago, will be fixed during sessions, and other production problems will be discussed.

Huddles on the Coast concern studio operation, policy and setup of a budget to cover 1938-39 production.

With further economy measures on the agenda for the Paramount studio, Walter B. Cokell, treasurer of the company, is planning to remain on the Coast indefinitely. He has sent for his secretary, necessary records of his office, etc.

Cokell has been at the Par plant for several months now importantly aiding in the reduction of costs where overhead may be brought down without injury to operations and production, with letouts here and there, lapsing of options, etc., as determined by Adolph Zukor, himself and others.

At the home office Friday (22) overhead was further reduced by letout of bookkeepers, clerks, stenos and other lessers.

## ASHER MAY ALIGN WITH ALEX KORDA

Should present discussions which Alexander Korda is having with Irving Asher materialize, Asher will associate with London Films.

Asher, just back from Hollywood, after getting through as Warners' Teddington (England) studio head, may sail back to London today (Wednesday) but made likely to stay on another week.

### H. M. Warner's Hula Rest

Hollywood, April 26.

Harry M. Warner will pass three weeks in Honolulu, sailing tomorrow (Wednesday).

He will be accompanied on the vacation jaunt by Mrs. Warner and Joseph I. Schnitzer, head of Western Costume Co.

## BUDGET MAY BE 10% UNDER '37-8

**Then Again It May Reach Up to This Past Season's $175,000,000 Outlay for Film Production — That's What 10 Companies Expended — Fear Curtailment of Costs Would Impair Quality**

### BUT TRYING TO CUT

When this year's product is in, completing delivery on the 1937-38 programs, the total amount spent by 10 nationally-organized film companies on production will run around $175,000,000. For the coming season, pending the setup of budgets, it is expected that the total to be poured into pictures for the 12 months of the 1938-39 semester will be short of this figure, but not much less as might be imagined from the big budgetitis campaign now on in the film business. It may run 10% under the 1937-38 investments, but probably less than that.

Some producer-distributors may go for as much coin on the '38-39 programs as they have this season, in spite of economy measures at the various studios, which actually are not great in money in some instances. That the reduction in the cost of turning out the same number of pictures for next season as for '37-38 may be slight, if at all, is predicated by leading executives on the realization that every studio has to continue to make better pictures in order to meet competition.

If some of the pictures end up costing less, that is fortunate, but if it is necessary to go over any set budgets in order to attain the desired quality, the money must be spent. As pointed out, the first concern of the producer-distributor is to meet commitments on the higher-bracketed pictures at designated percentages, one major film executive in New York epitomizing the matter by warning that 'you can't substitute cotton for wool.'

Although it is admitted that shaving of studio operating overhead in Hollywood may aid some companies in bringing programs for '38-39 to completion at less negative cost than for this year, there is no guarantee of that now. The demand for product that can survive stiff competition

(Continued on page 31)

## Silverstone's Chairmanship of UA Executive Committee Constitutes New Operation Accord; the Setup

### Early Reissues

Dearth of box office pictures at the present time is bringing out not only silent film reissues, but an unprecedented number of revivals of hit features by major companies this spring.

Exhibitors in subsequent spots claim that the better features currently are tied up in first-run theatres, with holdovers further delaying the time when they should be getting them for playdates.

## CHAPLIN'S 1ST TALKER FOR UA IN 1938-39

Hollywood, April 26.

Charles Chaplin will make his first talker for the United Artists 1938-39 program and break his long screen silence. Although reported resting at Carmel, Calif., for the past few months he is known to be reading stories from which his next picture will be adapted.

Comedian recently took an interest in an original yarn and now has the author at his side at Carmel. Expected Chaplin will return here next week and start preparation on the first tal .

New sound equipment was recently installed by RCA at the Chaplin studio. Since he made 'Modern Times,' Chaplin confided to intimates that his next would be a talker for economic reasons. He feels interest in his first articulater would insure tremendous returns.

Contributing to his decision is the new UA policy of cutting up extra coin with active producers, and that one picture annually would give him an income on par with producers who turn out many more.

Konrad Bercovici has been with Chaplin on several trips to Carmel and likely the writer's original, based on the life of a musician, will be the comedian's choice for his dramatic talker.

Under the new accord which was concluded recently in London with Alexander Korda (London Films) by Samuel Goldwyn, Mary Pickford and Douglas Fairbanks, Murray Silverstone, as chairman of the Executive Committee, is the new operating head of United Artists. UA becomes the first really cooperative company in the business. Independent producers who qualify, and are accepted in the organization, are to be privileged to participate in the profits of the company, based on the business they bring the company.

Ratification of Silverstone's appointment and authority occurred at a reorganization meeting of the company board held at the firm's home office New York yesterday (Tues.).

In this setup, an incentive has been established for qualified producers to become associated with U.A., and for present owner-producers to continue actively with the company.

Those owner-producers, who shall engage actively in producing, thus yielding income to the company, will share by greater proportion in the profits than the non-producing owners in the company.

Fifty percent of the company's annual, aggregate profits will be hypothecated for owner dividends.

The other 50% will be devoted for distribution to producers, owner-producers as well as independent producers, pro rata, on the basi their indivi ual gross income yi to the company.

It appears to be the intention of the directorate, eventually, to discontinue the company's administrative offices in Hollywood. Over-all

(Continued on page 61)

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## Rise of U. S. Amus. Tax Income Would Belie Any Recession in the Show Biz

Washington, April 26.

Recession's effect still hadn't made any visible dent in box office receipts at the end of February, most recent U. S. Treasury returns indicate. Downward trend of most business indices is not borne out by the Government's receipts from the 10% added to theatre tickets. Total haul on February business was up again, for the second successive month after the usual new-year dip. Moreover, the total was considerably fatter than any previous year since the rates were upped back in 1932.

Hard times wails were dissipated by announcement that Uncle Sam's slice of February b.o. gross was $1,773,075. This is $233,667 more than the whiskered gent pocketed in the same month last year. Up $113,435 over February, 1938, payments, which showed January wicket business was faster than the Christmas trade.

March total was one of the biggest in a long time, excepting the past couple of year-ends. Only four months of 1937 and two stanzas of 1936 yielded more cash toward payment of the national debt.

If biz is bum, the tax revenues don't show it. First three months of 1938 the Treasury took $4,786,130 from amusement enterprises (all but a fraction from theatres) against $4,518,436 in the same quarter of 1937. Gives a $10,000,000 total for the first half of the government's current fiscal year, indicating a record unless a stunning slump happens soon.

### ALICE BRADY'S U TURN-OFF

Hollywood, April 26.

Alice Brady and Universal parted company last week by mutual agreement after tiffing over a part in 'Suspicion.'

### Schlesinger Back in N. Y.

M. A. Schlesinger (South African Theatres), president of General Talking Pictures and allied firms, has returned to New York after several weeks in London on business.

# 'BONUS' SHARKS RAPPED BY DOC GIANNINI AS PIC BIZ WRECKERS; BANKER INFLUENCE

## Compares Unscrupulous Producers with Henry VIII, 'Cherishing Company, Destroying It and Passing On to Another Infatuation'—Recalls Fishy Eye First Given Industry by Money Barons

Hollywood, April 26.

Mot' ictures, once frowned on by conservative bankers, have developed into a sound industry with a forward march that has placed it in the front rank of national activities.

That was the opinion of Dr. . H. iannini, president of United Artists, expressed in an address before the Department of Cinematography class at University of Southern California last Wednesday (20).

Tracing the rise of the film industry from a risky venture to a huge enterprise, representing an investment of $3,000,000,000 and a yearly payroll of $200,000,000, Dr. Giannini said:

'This forward march has exceeded that of many industries and has been surpassed by only a very few. Because of persistent misrepresentations 25 years ago, many persons were misled into the belief that the picture business would never be anything but a bad risk for the banker.

'From a very modest beginning it has grown by veritable leaps and bounds, and now has assumed dimensions of unbelievable size. It is estimated that close to $3,000,000,000 are invested in this American enterprise. It has had its trials, and I sometimes think that the 'theory of periodicity,' or the ups and downs in the tide of business, originated from observations made during the early and precarious life of the picture business.

### Why Bankers Shied Off

'The machinery equipment employed in the business, the kind of theatres in use, the poor stori . the inexperienced direction, the calibre of the cast, the incompetent title writer—all these factors were not calculated to awaken an intense interest in the public. The banker, of course, was not attracted to this business.

'It was about this time that I became acquainted with some of the men in this industry. They were active in the management of several companies and revealed to me a serviceable efficiency that arrested my attention.

'As their business developed, they came in for financial assistance. They were asked to present statements, but as the business was new and unknown, the customary standards of credit rating could not be applied. At first, purely on personal grounds, small amounts were loaned. These were always promptly paid. Further and larger amounts were given and all payments were met at maturity.

'The nk had no losses. Our loans were at times unsecured and at other times secured by an assignment of the proceeds from progressive prints. Occasionally a loan was made on the negative print, but this was a temporary expediency, for a negative in the possession of the bank made it impossible to play the picture. These loans were in every instance at the current banking rate of interest.

'Most of the loans made today by banks, and these amount to millions of dollars a year, are made to producers, who give us as security an assignment on the proceeds from their pictures through the distribution company.

'In other words, the distributing company, cooperating with the produ r, makes it possible for the producer to pledge the proceeds of his pictures as security for loans which usually are employed for the production of new pictures.

'In most instances, the bank will not finance the first picture of a new company and will only undertake to finance a production if and when the producer is in a position to furnish the bank with a completed negative as security for his loan.

### Bank on Short End

'Most losses incurred by ban s are the result of financing first pictures. Failure to complete a pictur or failure at the box office of a completed picture, has often wrecked the producer. Consequently, a finished negative, with an estimated gross from the producing company extent of the security back of his enables the banker sure the loan.

'In the space of a few years, the industry has so grown that it began to challenge admiration both in and out of banking circles. However, most bankers continued to be indifferent.

'I likewise noted that the bankers of New York, as in California, were also indifferent to the business. My commitments, however, grew proportionately larger. My associates and my directors looked with a very critical eye upon my recommendations. They kindly, but very firmly, suggested caution. The bank examiners both of the New York Clearing House and the National Banking Department made rtain written and oral comments that disturbed us. As the business was new, they very properly advised care.

'The steady growth of the business made heavy demands upon the bank, and it was then that I turned to the leaders of the industry and sought their cooperation. I had repeatedly stat , both in private and publicly, that the men in control of this business were just as intelligent, just as industrious and just as able as the men in any other big business. The public was responding cheerfully and generously to the support of this new, but now large, enterprise. The masses approved of this form of entertainment and the producer met this demand with better pictures.

'It was then that it occurred to me to invite to sit with me on our board of directors one of the industry, so that I could elicit his support in my belief in the soundness of the business. At first some producers opposed me, fearing that matters of internal management would become public property, but soon understood that this director was of great assistance and functioned as a friend in court.

### 'Pernicious Bonus System'

'In our desire to do constructive work, we found that a certain menace threatened many of those engaged in the business. Usurers had a menacing hold upon some of the men in the business. The few companies that succumbed were victims of a pernicious 'bonus' system.

'We had a frienly working relation with every large company. We found, however, that those who were unable to weather the up and down periods were in every instance wrecked to a great degree by these bonus sharks. There were always good profits in the business, but not enough to pay such excessive rates of interest. Like Henry VIII and his desirable princesses, these money sharks would cherish a company furiously for a season, then destroy it and pass on to another infatuation.

'Now the management of the various companies is in capable hands; the financial statements are no longer vague and indefinite; budget requirements are no longer a matter of conjecture.

"All the producing companies of the first rank receive accommodations on an unsecured basis, and are given the same consideration as to amounts and rates of interest as any other high-class, legitimate concern.

'Within the past several years, some of the larger companies have refinanced themselves. In each instance the new stock issue was sponsored by high and reputable investment houses. I sincerely hope that the same type of bankers will continue to evince an interest in this business, thereby guaranteeing the investing public adequate protection. The mistakes of olden days, resulting from 'watered' stock, should be scrupulously avoided. Stock issues must be honest in the fullest sense of the word in order to maintain public confidence.

'I say this with all the sincerity, conviction and personal experience of a banker who has probably loaned more money to the industry over a period of years than any other banker.

### Ultimate World Domination?

'There is a general belief abroa that if film production becomes a permanent monopoly in a country, that country will ultimately dominate the world. An immortal dictum has been paraphrased to read, 'let make the film of my count , and I care not who makes its laws.' Whilst other peoples were wondering about the significance of motion pictures, American talent quickly jumped in, thus giving the U. S. a gigantic lead.

'The influence of this great preponderance brought about almost unconsciously the Americanization of other peoples. American moral, social and artistic values, American type of sentiment and, in a wider sense, American culture were being gradually imposed on the rest of the world.

"This is the reason that Great Britain, France, Germany and Italy and other countries are today so interested in film production. They are rightly jealous of their culture and tradition and language, and therefore militantly interested in their preservation. To this end their motion picture industries receive governmental support and encouragement—and it behooves our government to give the industry all the support necessary to retain our own leadership.'

# Frankie of 'And Johnnie' Renown Sues Republic Pictures for $200,000

St. Louis, April 26.

rankie Baker, Portland, Ore., the claimed flesh-and-blood Frankie of the celebrated folk song, 'Frankie and Johnni ,' filed a $200,000 suit in the circuit court here Thursday (21) against the authors, producers and distributors of the film of that name, alleging they have done her wrong. Suit is filed here because the famous shooting occurred i St. Louis 38 years ago and many witnesses are still living here who remember it.

The plaintiff, a Negress, did shoot a man, and killed him, but the suit contends the circumstances were fal ly portrayed in the film story. Miss Baker's attorneys, the firm of McLemore, Witherspoon & Lucas, assert Miss Baker shot in self defense and was acquitted by a coroner's jury.

Defendants in the action are Republic Pictures Corp., Republic Midwest ilm Distributors, Inc., Select Pictures, Chester Erskine, Jack Kirkland, Helen Morgan, Chester Morris and Lilyan Tashman.

Miss Tashman has been dead since March 31, 1934.

Miss Baker is now 58 years old d has never been married.

## 'EXTASE' FINALE

### 3-Year Court Battle Ends in U. S. C't Kayo

Washington, April 26.

Power of state authorities to permit or ban exhibition of imported films was sustained Monday (25) when U. S. Supreme Court refused to review the action of New York officials against 'Extase,' ('Ecstacy').

Last chapter of the three-year fight over the Czechslovakian film containing views of Heidy Keisler swimming a la Eve was a brief denial of appeal by Eureka Productions and a curt statement that 'the motion of the appellees to affirm is granted and the judgment is affirmed.' Thus the highest tribunal upheld ruling of State courts that Governor Herbert H. Lehman and the Board of Education had right to withhold exhibition license for the film.

Jurists unimpressed by allegations of counsel for Sam Cummins, the importer, that New Yorkers usurped Federal powers and trespassed on national Constitution. They argued ineffectually that United States Government had granted a permit for the film to be brought into this country and Federal officials were the only persons with control over movement of the pic in interstate commerce.

## Leeds Directs Quints

Hollywood, April 26.

Bert Leeds draw the di ctor's set on the next Dionne quint picture for 20th-Fox, which will go before the cameras under the title 'Five of a Kind.'

n Patrick and Lou reslow have completed the script, fil ing to get under way in June.

# Boettiger Endorses His Old Boss

Seattle, April 26.

John Boettiger, publisher of earst's Seattle Post-Intelligencer, has not forgotten his training under Will Hays. He wrote the following lead editorial in his daily the other day:

BUSINESS CAN LEARN FROM THE MOVIES

The motion picture industry reached new heights in the 1937-38 season.

It continued its successful battle against indecency and propaganda.

And it is necessary recall only a few titles—'Snow White and the Seven Dwarfs,' 'Hurricane,' 'The Life of Emile Zola,' 'Captains Courageous,' 'Heidi' and 'Maytime'—to realize how far screen art has progressed in the last decade and in the last year.

In part it has been a technical advance, for which credit is due to American inventiveness and mechanical ingenuity.

In part it has been an extension of intell tual and artistic horizons to include fields of fantasy, music and social consciousness that were far beyond the ken of the film makers of a few years ago.

Will H. Hays, president of the otion Picture Producers and Distributors of America, in his annual report calls attention to the fact that the progress has been made under a system of 'industrial self discipline.'

He explains:

'Industrial democracy can no longer be taken for granted anywhere in the world. It must be defended. The problem of our national economy very properly has been stated to be the problem of maintaining to the highest degree initiative, enterprise and freedom in industry and business.

'But these are rights that must be watched by equivalent responsibilities, both social and economic. In a period in which the very basis of democratic freedom is being questioned, industry must be fully prepared to report upon its public stewardship.'

The motion picture industry has rendered its report.

It is one of which the nation may well be proud.

Much of the credit must be given to the foresight and genius of Mr. Hays, who so ably analyzed the problems of an industry which once fell far short of its present repute, and set about quietly to install the system of self-government which has brought filmdom to its current levels.

Nor has i progress been ended. titles of coming releases which bi even greater heights.

A few years ago there was widespread demand for stri ernment regulation and censorship of movi

There is no such demand today.

Recognition of the truth that freedom must be accompanied by responsibility has made self-government a success in the motion picture industry.

And the same principle should help many another industry to solve its problems—if it can find its Will Hays and learn to follow his advi

# Pix Biz Appellants Score Point In Dallas Case Via a Technicality

April 26.

Disregard of procedural rules by the Texas judge esulted i ary ek for the govenment's most recent antitrust atack upon film distributors' booking practices.

Post ing decision on merits of the case, the U. S. Supreme Court on onday (25) held, with membership split 6-2, that technical error required further proceedings before any inion can be given. Two umpires, Associate Justice Harlan F. Stone and Hugo L. Black, dissented, claiming the findings in the opinion and decree of the Federal court for the North Texas case are ample for the highest tribunal to pass on fairness of trial which resulted in issuance of injunction against Texas Consolidated Theatres, Interstaote Circuit, Karl Hoblitzelle, R. J. O'Donnell, and numerous subsidiaries of major producers.

Noting that rules of procedure in equity cases require trial court to 'find the facts specially and state separately its conclusions of law thereon,' the Supreme Court declined to pass on e dispute because of character of the decree. Majority explained:

'The District Court did not comply with this rule. The court made no formal findings. The court did not find the facts specially and state separately its conclusions of law as the rule required. The statements in the decree hat in making the restrictive agreements the parties had engaged in a illegal conspiracy were but ultimate conclusions and did not dispense with the necessity of properly formulating the underlying findings of fact.

'The opinion of the court was not a substitute for the required findings. A discussion of portions of the evidence and the court's reasoning in its opinion do not c nstitute the special and formal findings by which it is the duty of the court appropriately and specifically to determine all the issues which the court presents. This is an essential aid to the appellate court in reviewing an equity case and compliance with the rule is particularly important in an anti trust case which comes to this court by direct appeal from the court.'

Summarizing argument oth sides, ajority observed; intimate no opi upon any of the questions raised by these rival contentions, but they point the importance of special and adequate findings in accordance ith the prescribed equity practi The decree of the District court is set aside and the cause is remanded . . .'

## HAMMELL, PAR CENSOR, QUITS AFTER 17 YEARS

Hollywood, April 26.

John Hammell, studio censor, has resigned after 17 years with Paramount. In addition to handling censorship problems he was general manager of the Ernst Lubitsch productions.

Studio associates say Hammell will rejoin Lubitsch, whose contract with Paramount recently terminated.

## Rep Speeding Washup

Hollywood, April 26.

ith 33 out of 50 pictures finished, Republic is well ahead of its 1937-38 production sked. In addition, it has a complete quota of Bob Steele westerns out of the way.

Studio execs are pre ring for the annual sales convention beginni May 2. Meanwhile writers are whipping plays into shape for completion well in advance of Sept. 1, when the production year ends.

## 'Heart's' Cast Stymie

Hollywood, April 26.

Casting difficulties have been assigned as the reason for the postponement of the production start on Hal Roach's next feature for etro, 'There Goes y Heart.'

Picture was to have gone April 25. New date has not yet been set.

## THEM BRITISH AGAIN

Hollywood, April 26.

P. J. Wolfson will produce and script 'The Frontiersman' for RKO.

Picture is based on the Neil H. Swanson novel, 'The First Rebel,' dealing with a revolt by Pennsylvania colonists agai st th ritish i 17

# NEW FACES TRIM BUDGETS

## Hammons-Levine Dicker for GN May Require Up to $2,500,000

Pending the compilation of data and technical difficulties due to the fact the company is in reorganization under 77-B of the bankruptcy act, it is estimated that at least $2,500,000 will be required by Earle W. Hammons and associates in swinging a deal for Grand National. Interested with Hammons in acquisition of GN is Nat Levine, who was in New York last week confering with him on the matter, but so far, with a deal nowhere near to fruition, it has not been determined to what extent Levine will be financially concerned in the matter.

Levine, who went back to the Coast Friday (22), is expected to at least finance the production of pictures which he would turn out for GN. Presumption is that he would serve as head of production. GN is quartered at the Educational studio in Hollywood, which it took under lease from Hammons when formed two years ago.

With Hammons at present t ing to get a clear picture of what GN represents in the way of assets and possibilities, he has a representative on the Coast collecting data for him and looking into the situation from all angles. Hammons isn't planning any immediate trip west until getting data, figures, etc., together.

### GN Appeals FTC Case

Washington, April 26.

ismissal of the first Federal comlaint charging a film distributor with misrepresentation of plot was asked last week by Grand National, in reply to a show-cause order from the Federal Trade Commission.

Primarily because the company has been inactive since reorganization proceedings reached a climax last February, the prospective FTC ban against using title 'In His Steps' is unnecessary, GN replied. While maintaining it was not guilty of violating the fair trade statutes, company said that since trustees were named several weeks ago all practices set forth in the citation have been abandoned voluntarily and agents were long since instructed not to use any advertising matter which ight give the wrong i ression to exhibitors.

Admitting truth of charges that title of best seller by Dr. Charles M. Sheldon was used for kid romance opus, GN flatly denied any duping of theatre owners, unfair competition, or unauthorized use of the story's name. In concluding its answer, company declared 'it did have the right to advertise that said photoplay was suggested by said book because the theme of said book and of said photoplay are fundamentally the same.'

While admitting it did cause film to be made and offered for lease, firm denied it is or has been since Feb. 21 in the business of either producing or selling pix. Does not maintain 'a course of trade in said productions so sold or leased by it in commerce among or between the various states' because activities were suspended on account of financial woes.

## Ryskind Doing 'Service' Rewrite as Marxes Idle

Hollywood, April 26.

Morrie Ryskind has been assigned by RKO for the rewriting job on 'Room Service.'

Marx Bros. are still idling about the lot awaiting delayed start on the picture in which they will star.

## 'Early Light' for Faye

Hollywood, April 26.

lice Faye was handed the stellar in 'By the Dawn's Early Light,' be filmed by 20th-Fox from Anthony Veiller's script of Gene Markey's story.

Gregory Ratoff will direct as soon as Miss Faye returns from Honolulu.

### WB'S A. K. MELLER

**'The Drunkard' Goes on Warner Sked on Sears' Sayso**

Hollywood, April 26.

Gradwell L. Sears, sales chieftain, is responsible for the addition of P. T. Barnum's ancient meller, 'The Drunkard,' to Warners 1938-39 schedule. Bryan Foy, already sold on the idea of filming the opus, which has run for more than five years in a Los Angeles little theatre, put the matter up to Jack Warner, who failed to enthuse, but passed it on to Sears. Latter wired back, 'By all means; it'll be a big money-maker.'

Crane Wilbur is already at work on the story treatment, which will be filmed with a cast including Claude Rains, Anita Louise, George Brent and Dick Foran.

Property has long hibernated in the public domain.

## WARNERS' JR. SCRIB SCHOOL

Warner ros. is planning to organize a school for junior writers at the Coast studio in the hopes of unearthing fresh scribbling talent. The plan is experimental but if successful will be continued permanently.

School will be in charge of David Matthews, former story editor of the Warner Burbank plant.

A similar writer-developing plan was tried at etro, but recently sacrificed in an economy purge.

## COMMISH TIFF OVER DEANNA DURBIN'S PACT

Hollywood, April 26.

Los Angeles courts on Monday (24) awarded Mrs. Ritz Stanwood Warner 25% of the commissions collected by Jack Sherill and Fred Falkin from their managerial contract with Deanna Durbin. Amount will be determined after the period in the film player's career, covering the award, is fixed.

Suit filed by Mrs. arner contended she was promised a percentage of the commissions from all talent she discovered. Two other similar suits are pending, one by Olive White and other by Milo Marchetti, who also claim they discovered the Universal actress-singer.

## Yachting R. R. Script

Hollywood, April 26.

Cecil DeMille's yacht, Seaward, is being overhauled for a cruise during which the script for 'Union Pacific' will be finished by DeMille, his assistant, William Pine, and writers Jack Cunningham and Jesse Lasky, Jr.

Four-week trip, beginning May 1, without particular destination, will be interrupted by one landing to permit DeMille to preside over his radio broadcast.

## 'Lucky Star' in Orbit

Hollywood, April 26.

'My Lucky Star,' Sonja Henie's 20th-Fox starrer, went before the cameras yesterday (Monday) with Roy Del Ruth directing.

Buddy Ebsen, on loan from Metro, joined the featured players, which includes Cesar Romero and George Barbier.

### il Regan's Personals

Hollywood, April 26.

Phil Regan is motoring cast for personals tour. ing at Loew's State, New Yor . ay 5.

Also does guest radio turns while in Gotham.

## STUDIOS FAVOR FILM UNKNOWNS

**Cry for New Faces Dovetails with Studio Coin Clip—Groom Novices to Replace Fading, but Costly, Names — Savings Run Into Fancy Figures**

### HOW IT WORKS OUT

By CHUCK CASHON

Hollywood, April 26.

Unknowns are attracting the attention of Hollywood's producers today. Youth will be served, and is being served, now as never before in all the major studios. It is Hollywood's answer to several hurdles of the past few months, namely skyrocketing production costs, caused to a great extent by topflight lary demands, and the constant cry of the public for new faces. Egos are being deflated, salaries are being given the eagle eye when option time rolls around, and many a player who has gotten into the four-figure a week class is worried at the prospect of the future.

Recession has brought slackened production; falling b.o. has brought disapproving nods from the banking houses; and the studios have thrown a score or more players into top roles which would have previously gone to more expensive oldsters on the lots.

The result is that today, before cameras, or already released, is the greatest array of new faces John Public has ogled for many a moon. Virtually all are bracketed with definite personalities to smooth the path. The blurb boys and girls have turned loose with both barrels. More than half the publicity is now directed at building players instead of selling pictures. Less and less are the well known players being pushed into the roto sections. Today's stock player who will be tomorrow's star is getting the build-up instead.

Par is heading the parade. ince the first of the year: Harriet Hilliard, from the stock school, played a lead opposite Fred MacMurray in 'Cocoanut Grove'; Terry Ray, renamed Erin Drew, took lead with Bing Crosby and MacMurray in 'Sing You Sinners'; Louise Campbell, new in pictures, took top spot with Ray Milland in ' en With Wings.' Cast in same show in the lead role is Cheryl Walker, Pasadena Junior College girl and last Tournament of

(Continued on page 8)

## Average Film Admish Price Hasn't Deviated from 22-23c in 15 Months

Pictures constitute the real popular national amusement in the United States today, as judged by the average admission price charged at the box office.

Check completed this week reveals that the national admission fee in the past 15 months has not deviated from the 22-25c figure. Average ticket to a film theatre early last year was 25c. In the fall it slipped slightly under 22c but at the present time it is within a fraction of that amount.

Even with considerable tilting in bigger cities early in 1937, there was hardly a time that the average admission raised above 23c. rive to lift admittance prices, which got under way last year, were nipped by the recission which set in late in the fall. Theatres which have been able to hold their increased fees are counterbalanced by those which have dipped back in the admission scale setup.

Surprising part of the survey was found in the manner in which the higher admissions had been offset by the number of houses which automatically charged less when they slipped from second-run to third-run category.

Figures compiled are contradictory to those claiming that 40c admission theatres predominate. Breakdown of the price scale at houses where 40c. is charged most nights in the week revealed that the variation in prices during the day plus provisions for juvenile trade often brought such type operations down to 25c, as the average price charged over a week's time. Similar analysis of so-called 50c theatres showed that usually the average price over a 7-day stretch was closer to 40 or 42c.

Large number of theatres getting only 10c and 15c in the afternoons and 15c, 20c and 25c at night leveled off the average price from the higher quotations for the deluxers in key spots.

## Spencer Tracy Has Strong Legit Yen But Thinks B'way Unfairly Expects A Film Star to Carry a Poor Play

### A CYCLE?

**Frenke Using 50 Midgets in 'Half-Buck' Seri**

Hollywood, April 26.

Three more half-pint westerns with all midget casts have been lined up by United Players, Inc., headed by Dr. Eugen Frenke. Pictures will be 'Half-Buck Rides Again,' 'Half-Buck Goes West' and 'Half-Buck Hits the Trail,' all by Ted Richmond. Paul Savoy is bringing 50 midgets from Chicago for the east.

Small-sized western craze was originated by Jed Buell, now completing the cast for his 'The Terror of Tiny Town.'

## PUG PIC VOGUE LOOKS IN AGAIN

Hollywood, April 26.

Despite belief that fight pictures are usually floppo at the b.o., practically every studio is nibbling at a bell-ringer in this field. Latest to join the training camp is George Raft, figuring to have Max Baer and Tommy Farr repeat their New York routi John C. Moffitt's 'The Squared Circle.'

Paramount is considering handling the release provided Raft handles all the financing through production and the preview. Farr to date hasn't made a dime here and claims, out of $25,000 he made in two fights in the east, $24,000 went to his old manager in settlement of their contract.

Baer's previous fight picture, 'The Prizefighter and the Lady,' turked badly and set the whole town against screen slugging until Warners came in with 'Kid Galahad' and set the tide in the other direction again.

## LESLIE HOWARD BOWS OUT OF WB CONTRACT

Hollywood, April 26.

Conflict with his English commitments caused Leslie Howard to get together with Warners on contract cancellation. Pact had two pictures remaining.

Howard is planning to freelance on return to Hollywood.

It's hard to show a cinema star anything new in the way of fan approach, but New York's organization of autographiends had visiting Hollywood fireman Spencer Tracy completely stopped.

Tracy commented on the fact th practically the same group of youngsters confronted him on each visit to the Sherry-Netherland, and that each demanded from three to six autographs. When the system of 'coverage' was explained—each group 'assigned' by the leader to a celebrity and all to get autographs for groups on other 'assignments'—Tracy whistled amazement. 'Humph,' he humphed, 'guess the fans out in Hollywood are just a bunch of amateurs.'

Tracy expressed a strong desire to appear again on the stage, but he's haunted by the ghosts of defunct screen star legit vehicles. The stage was his springboard to films but, to do a little metaphor mixing, he's afraid of being bitten by the hand that fed him.

' roducers,' Tracy elaborated, 'seem to depend on the picture name to carry the play, when as a matter of fact the play has to be a whale of a lot better than average, for a screen name. An actor gets more of a break when he's just starting out. Gets credit for doing a good part in a so-so play. But it's a tall gamble to come back to the stage after making a picture name. Maybe the public doesn't actually start saying 'Oh, yeah?' and perhaps the critics don't really start sharpening the knives as soon as they hear of the plan, but it cer inly looks that way to the man on the Hollywood fence.'

Hasn't though much about what kind of a show he'd like to do—only knows 'it's got to be good.'

Even if a likely ms. is discovered, however, the venture will have to be postponed awhile as there is a picture waiting for him when he return from a brief London jaunt. Said he preferred his own back yard to the ocean trip for a vacation, but making the London trek because Mrs. Tracy insisted that it would 'do him good.' Looking slimmer than in his last film, Tracy said he lost 12 pounds the hard way—through a recent illness— but prefers the new streamlining and intends to keep it.

## SALLY RAND'S 4-PIC DEAL WITH STANDARD

Sally Rand leaves for Hollywood June 15 to start work on a four-picture contract with Standard Pictures. Will do one and then return east, going back to the Coast sometime in September.

Dancer exits the Casa Manana, N. Y., April 30, and goes to the Auditorium, Baltimore, for a legit fling, opening May 9 for one week. After that there are some vaude dates and stock legiting at Dennis, Mass.; Mt. Kisco, N. Y.; Westport, Conn., and Ogonquit, Me., before returning to Standard and her second film. Will do straight dramatics in films, as with annual legit trek.

## La Cava Squares Off

Hollywood, April 26.

Gregory La Cava will produce and direct his original story, 'Right Angles,' at KO, with Douglas Fairbanks, Jr., set for the male lead.

Picture rolls about Sept. 1.

### THE BETTER MAN

Hollywood, April 26.

eorge Stevens will direct Pandr Berman's RKO production of ling's 'Gunga Din,' with Gary Cooper in the top role and Jack Oakie on the comedy end.

Cameras roll in Ma

# Nation's Press Very Curious About Pix Moppets' $, Since Coogan Mess

Hollywood, April 26.

Hollywood correspondents and wire service men are losing plenty of sleep as result of Jackie Coogan's litigation with his parents. They are swamped with requests from their papers to get the lowdown on all the moppets in the film industry. Financial status of several is well known, but some of the parents of screen kids are giving scribes the mackerel eye.

The day after Coogan's mother got the headlines, for calling him a 'bad, bad boy,' there was a rush for reissue bookings of 'Peck's Bad Boy.'

Sol Lesser is reviving 'Peck's Bad Boy.' First of a series of six will be 'Peck's Bad Boy at the Circus' for RKO release.

Film rights the stories have been held by Lesser for years. He made the first in 1921 with Jackie Coogan playing the lead.

**New 50% Ruling**

Los Angeles, April 26.

Screen, stage and radio moppets are assured at least half their salaries through a new ruling by Judge Emmet H. Wilson in Superior Court last Thursday (21). As a result of the Jackie Coogan case, in which the former child star sued his mother and stepfather for an accounting of the millions he earned in pictures, Judge Wilson ordered changes in the policy of approving theatrical and radio contracts for mi .

Under the ruling no contract will be approved unless the parents or guardians agree to establish a trust fund into which the employer will deposit at least 50% of the minor's earnings.

Judge Wilson ruled that the 1927 enactment in the Civil Code, giving judges authority to approve contracts for minors, virtually makes the court the guardian of the c 'ld.

Meanwhile, a preliminary receiver, appointed by Judge Wilson, is having an audit made of the books of Jackie Coogan Productions, Inc., and an inventory of all real and personal property controlled by the mother and stepfat r. and Mrs. Arthur Bernstein.

Sacramento, April 26.

Bill to prevent parents from expropriating the earnings of kid actors is being sponsored by Assemblyman Chester G. Gannon.

Measure was prompted by Jackie Coogan's current suit against his mother and stepfather, demanding an accounting of his picture salaries. New law would provide a bonded guardian for moppets.

**Coogan Cancels Radio**

Jackie Coogan has cancelled off 'We the People' program after having been set for a guest-shot tomorrow (Thursday). Former kid star was booked to tell his story of present court case for $750 and fare and expenses from Coast to New York and back. Later Coogan notified the Young & Rubicam agency, which handles the program for General Foods (Sanka coffee) that on advice of his counsel he wanted to bring a traveling companion with hi . Asked that expenses and fare be provided for companion, whose identity he did not reveal.

Agency balked at the additional expense and when Coogan refused to come alone, appearance was cancelled. It is understood that the companion Coogan wanted to bring was someone his counsel was sending along to handle newspaper reporters in New York.

## They Satisfy—Three

Hollywood, April 26.

Chesterfield has asked dismissal of involuntary bankruptcy proceedings in federal court following 50% compromise with three creditors.

Claims of Smith & Aller, RKO-Radio and RCA totaled $18,451.24. Dismissal is subject to the approval of the court, pending action of 17 other creditors within 10 days.

## Englund Scripts 'A&M'

Hollywood, April 26.

Ken Englund has started work on the screen play for Jack Benny's next Paramount starrer, 'Artists and Models.'

Arthur ro-duce.

## Rockefeller's $69,000 Grant for Educ. Films

Rockefeller Foundation's General Education Board has granted $69,000 to the film project of the Progressive Education Association. Award is made for the purpose of continuing for another year, beginning in July, preparation of 40 more classroom films, by means of editing selected portions from commercial pictures.

Work was first begun in July, 1936, on basis of a two year grant of $75,000, and 36 classroom shorts have been completed so far by Joseph Losey, production director. Helen Van Dongen is film editor. argaret Kneerim and Irving Lerner are assistants.

Major fil companies cooperate with the project in allowing it to excerpt sections deemed to have educational value.

## DIXIE JAM ON JOE LOUIS FIGHT FILMS

irmingham, April 26.

Walter randenbrug, 50, of Atlanta was arrested April 21 in Lexington, Ky., by agents of the Federal Bureau of Investigation and charged with interstate transportation of moving picture films on the Joe Louis-Tommy Farr fight from Atlanta to Birmingham last September, according to Jim C. Smith, U. S. district attorney, here.

After his arrest by the FBI agents it was announced that Brandenbrug will be brought to Birmingham for trial. His bond was set at $2,000.

District Attorney Smith said the films were shown in Birmingham at three downtown theatres.

## Breen Troupe East On 'Easy Street' Location

Hollywood, April 26.

Bobby reen and a troupe of 18 will leave for the east tomorrow (Wednesday) to begin work on 'Easy Street' for Sol Lesser.

Company, headed by director Edward Cline, will shoot scenes at Roanoke, Va., before returning to the studio.

Spokane, April 26.

Ten representatives of Metro-Goldwyn-Mayer are in northern Idaho looking for a lake or stream location for scenes of 'Northwest Passage.' Idea is to build frontier trading post of St. Francis, which figures prominently in the Kenneth Roberts adventure story. Metro lookers were headed by Ray Messenger and included Len Smith, Ray Rannahan, Charles Salerno, Henry Nelson, Al Scheving, Henry Forrester, Merritt Sybal, Al Cline and Sid Zerber.

### Attaboy, Charley

Hollywood, April 26.

Changing names may be an old Hollywood custom, but they're not tampering with Charley Grapewin's monicker. When Metro cast him as Woodrow Wilson in 'Shopworn Angel,' it was decreed that Charles would be more dignified than Charley.

When Grapewin heard about it he exploded, 'Charley has served me faithfully for my first 40 years as an actor, and it ought to be good enough for the next 40.' Studio lost the decision.

## B'WAY STRAND MULLS VAUDE

After recently poor weeks on the straight picture policy that has prevailed for years, the Strand on Broadway is flirting with the idea of adding vaudeville. Warners is checking on cost at which shows may be obtained, what u ions will require, etc., before reaching any decision.

For several months the WB Strand, Brooklyn, which always was a straight picture theatre, has been playing vaude on Fridays, Saturdays and Sundays to satisfactory results.

## MOTIONS TO QUASH A. B. MOMAND'S TRUST SUITS

Oklahoma City, April 26.

Twentieth Century-Fox Film, Regal Theatres, Pathe, First National, Consolidated Amus. Co. and Griffith Amus. Co. have filed motions in federal court here to quash the $6,600,000 anti-trust suit brought by A. B. Momand.

Twentieth and Griffith charge the present suit disregards the authority of the court as Momand agreed with the court in 1937 to institute no more actions. Pathe, Regal, First National and Consolidated allege they had been dissolved previous to incidents stipulated in the suit and therefore ask dismissal on those grounds; Consolidated states it never did exist.

Hearing slated tentatively for June 7 before Judge Edgar S. Vaught.

## Curtiz on 'Desert Song'

Hollywood, April 26.

Warners has assigned Michael Curtiz to direct the forthcoming 'Desert Song,' operetta remake.

Production will be delayed until Curtiz completes 'Because of a Man,' starring Errol Flynn.

Nadine Conner, radio warbler, is returning east after two days of testing for the featured femme spot in the 'Desert Song' remake, slated to get under way June 1. Donald Dickson is the male topper.

# Northwest Exhibs and Distribs Trying the Roundtable Formula

Minneapolis, April 26.

Northwest Allied States and representatives of the producers-distributors here a few months ago were supposed to set the wheels in motion for closer cooperation in the film industry and settlement of problems and differences among independent exhibitors and producers-distributors at give-and-take, roundtable sessions. It was a love-feast here and harmony was in the saddle. But, as far as is discernible, the wheels haven't moved forward in the slightest degree.

President W. A. Steffes of Northwest Allied, who engineered the cooperation and roundtable campaign, was queried as to what had happened to his brainchild, inasmuch as he and his organization on the one hand and the producers-distributors on the other are at loggerheads over the Neely-Pettingill bill and the indies still are complaining 'in vain' about other alleged 'unfair trade practices.' 'I can't be bothered,' retorted Steffes. 'I'm busy raising pigs, chickens and cows on my farm. I've made an application, too, for a radio station permit. To hell with the motion picture industry.'

Seriously, however, Steffes has made known to his associates that he is confident that the trend is in in the roundtable direction and that tangible results will be in evidence before 1938 has passed on.

Philadelphia, April 26.

Although there has been no official meeting of United Motion Picture Theatre Owners called to sound out sentiment on the Neely bill, exhibs questioned this week were generally against it. Indies were all ready enough to admit that evils which the measure is designed to relieve certainly exist. They feel, however, that Federal interventi isn't the correct method. There is a fear that passage of the bill would probably bring up newer and greater evils than it eliminates.

Lewen Pizor, UMPTO prez, in a recent letter to S. R. Kent, went on record against the Neely act. He declared himself in favor of a clean-up from within the industry.

# Showdown Seen Between Major Film Companies and Sponsored Pictures

Head-on crash between the film industry and advertising agencies over commercial or sponsored pictures appeared in the offing this week, following Will Hays' statement on the Coast before he left for N. Y. Sunday (24) night. Spokesmen for the Motion Picture Producers & Distributors association claimed that the picture business was thoroughly aroused about the advertising or industrial films, but would not indicate that Hays was hurrying east to take charge of the campaign against this type of screen product.

That both factions were girding themselves for a finish battle was indicated by the fact that ad agencies and industrial firms were going right ahead with plans to produce pictures, while the Hays organization was preparing ammunition cite the danger to outright screen entertainment and the eventual loss it might bring to producers and distributors.

The Hays statement was that 'the studios are thoroughly awake to the possible results of the reported efforts to use the motion picture theatre scr for sponsored fil - duced primarily for advertising purposes.' He reiterated that 'the policy of the or nized industry continues firm against the extension of advertising to the entertainment program.'

In contrast, several independent producers and distributors were inclined to pooh-pooh the warning that sponsored pictures would hurt business. One distrib said he would be willing to distribute worthwhile entertainment-industrial films whenever they could be obtained in a profitable deal. Impartial observers seemed to think that the film business wants profits, and so do advertising agencies.

In the meantime, U. S. Steel's color short, 'Men Make Steel,' has been screened before officials of major companies and independents, with no distributor set thus far. Universal and Warner Bros. both were reported as having given the film the once-over. Thus far sponsored films, in which advertising has been held to the minimum, have been able to land in 6,000 to 7,000 theatres. If a major company or one of the larger independent distributors handles the steel picture, it estimated that nearly 10,000 exhi itors might be reached.

**Objections**

Attitude of Haysians is that ad films are harmful for three reasons: (1) Because they cut into the playing time of legitimate producers; (2) because they arouse resentment against both the theatre and producer in the mind of the public; (3) because they might have reflex action against an advertiser if the public resents intrusion on the regular program.

They indicated that while such sort of pictures might mean a saving at the present time, the ultimate result would hurt the boxoffice—and all of the industry.

The actual number of picture theatres coming under direct supervision of the Hays organization is negligible compared to the total number of houses in the U. S. Of approximately 17,000 film theatres i operation, probably 1,500 to 2,000 are affiliated with major companies (Hays members) or indirectly controlled as subsidiary operations. However, a certain amount of pressure might be exerted by the distribution companies.

Peculiar part of the impending scrap is that the advertising agencies, if they go in for industrial pictures on the scale now anticipated, will be taking away from newspapers and possibly radio on budgets for their clients. While this naturally will be resented by newspaper publishers and might readily have an adverse effect on relations between the picture business and the papers, advertising agencies will exert such a heavy influence that newspapers might be kept in line. Alternative might well be a threat to cut down advertising space from firms handled by the agency.

All of these factors are being carefully mulled by Haysites who admit they have a fight on their hands. Additional problem is that real entertainment has been incorporated in recently made sponsored subjects with so little advertising or publicity incorporated that few squawks are anticipated in smaller theatres or houses where the admission fee is low.

Loew's determination that the circuit is not to become exhibition ground for this type of picture is expresed in an official statement: 'In the past we have been opposed to commercial advertising on our screens and have not accepted it. That is still our policy.'

**Sez Hays on the Coast**

Hollywood, April 26.

Commercial Films as a means for trimming theatre overhead are frowned on by Will Hays.

Before training east Sunday (24), he offered the following statement in this connection, 'Whatever problems of general business recovery may be, studios in characteristic fashion have launched production program of a greater number of splendid pictures, with the purpose bringing about rather than waiting for boxoffice upturn.

'Studios are thoroughly awake to the possible result of a reported effort to use motion picture screens for sponsored fil s, primarily for advertising purposes. Policy of (r-ganized industry continues fir agins! the extension of advertising to entertainment program.'

## 20TH-FOX'S CREDIT CO. FOR ITS H.O. EMPLOYES

A credit union, unique for show business as well as other industries, is being set up within 20th Century-Fox for the purpose of providing funds for loans to home office employees. The union, to operate under the state banking laws, has been chartered at Albany, and under it loans will be made only at the h.o.

Funds for loans will be obtained through shares, purchaseable either outright or on installment, at a cost of $5 each. Loans up to $500 will be at 5% interest, but at the end of each fiscal year the income from this interest will be paid out in dividends in the manner determined by the board of directors.

Directors of the credit organization are Norman B. Steinberg, Harry Reinhardt, Grace Warner, Nat Brower, Harry Winikoff, Charles Minck and J. H. Lang.

This is the first known instance in show business where a lending organization has been set up, although several of the big fil companies have arrangements with various banks under which employees may borrow money without security or endorsers.

## Radio Station's Comm'l Film to Ballyhoo Itself

First industrial picture made by a radio station to drum up business was shown last week in New York by KOMO-KJR. 'Pacific Northwest,' running nearly three reels, exploits the Washington state market and is the initial film of sort turned out about Washington. Some 21 basic industries are covered, with statistical data obtained from the Department of Commerce.

Other subject, KOMO-KJR, which runs about 17 minutes, intends to show that the Seattle radio outfit is a big-time link in NBC's network. Shows every phase of KOMO-KJR activities.

## G-B's Sales Regionals

Series of three regional sales meetings, outlining 1938-39 program, will be started by Gaumont-British with two-day session in New York starting next Saturday (30) at St. Moritz. Full program will be outlined at this session.

Chicago regional confab will be May 3-4, while third session in Denver will be ay 6-7. G-B executives will go to each meeting, with sales forces from respective territories making up rem inder of attendance.

### BONITA'S 'PASSWORD'

Hollywood, April 26.

Robertson White has been handed the scripting chore on 'The Password of Larkspur Lane,' one of the Nancy Drew books recently acquired by Warners, as a starring vehicle for Bonita Granville.

Bryan Foy will

# They're Shopping for the Good Ones in Chi; 'Test Pilot' Sock 20G, 'Fools'-Vaude 21G NSG, H.O.'s OK

Chicago, April 26.

Business is weakening in several spots in the loop this week, with a generally discouraging outlook for houses which haven't got a really sock attraction on stage or screen. It's a question of sharp picking on the part of the public.

'Test Pilot' arrived Saturday at the United Artists and started off at a pace which indicates that the public has already decided that here is a picture that's worth the admission price. Oriental dipping to new low of $8,000 with 'Battle of Broadway.'

'Holding over, 'Snow White,' 'Jezebel,' 'In Old Chicago' and 'Mad About Music' are doing trade.

**Estimates for This Week**

**Apollo** (B&K) (1,200; 35-45-55-65)—'Jezebel' (WB). Third week in loop and looks okay for $5,000. Last week, 'Judge Hardy' (MG) finished to fine $5,800.

**Chicago** (B&K) (4,000; 35-55-75)—'Fools for Scandal' (WB) and stage show. Not strong and headed for maybe $21,000, very disappointing. Last week, 'Jungle Love' (Par) dipped sharply towards the finish, $20,000, weak.

**Garrick** (B&K) (900; 35-55-85-75)—'Snow White' (RKO). Sensational in its eighth week in the loop. Mighty at $10,000. Last week was tremendous at $13,200. Remarkable trade at all times.

**Oriental** (B&K) (3,200; 35-55-75)—'Battle of Broadway' (20th) and vaude. Off to very bad trade here, with indications of only $8,000, new low under policy. Last week off to $14,000, weak, for 'College Swing' (Par).

**Palace** (RKO) (2,500; 35-55-65-75)—'Mad About Music' (U) and vaude (2d-final week). Doing fine business, better than $18,000 after excellent $22,1 last week.

**Roosevelt** (B&K) (1,500; 35-55-85-75)—'Old Chicago' (20th) (2d wk.). Excellent business also, second week on pop price stay headed for $14,000, smacking, ter snagging big $19,200 last week.

**State-Lake** (Jones) (1,700; 25-35-45-55) — 'Condemned Women' (RKO) and vaude. Average take has slipped lately and holding to $11,000, okay, currently. Last week up a bit to $12,600 for 'Settlement' (20th).

**United Artists** (B&K-UA) (1,7 ; 35-55-65-75)—'Test Pilot' (MG). Better than $20,000 in the offing, powerful. Last week, 'Sawyer' (UA) finished good three-weeker to $7,400, neat.

## GABLE-LOY-TRACY 12G, WAY AHEAD IN L'VILLE

Louisville, April 26.

Only standout currently is 'Test Pilot' at Loew's State, with the rest bunched in the field, and b.o. trade nothing to rave about. Hagenbeck-Wallace Circus did two-day stand here (22-23) to satisfactory biz, but made no appreciable dent in pic takings.

**stimates for This Week**

**Brown** (Fourth Ave.-Loew's) (1,500; 15-30-40)—'Old Chicago' (20th) (2d week) (2d run). Still holding up, $2,200. Last week, okay $2,500.

**Kentucky** (Switow) (900; 15-20)—'Big Broadcast' (Par) and 'Love on a Budget' (20th), split with 'Crashing Hollywood' (RKO) and 'Gold Where You Find It' (WB). In line for okay $2,200. Last week, 'International Settlement' (20th) and 'Happy Landing' (20th), strong combo, satisfactory $2,400.

**Loew's State** (3,000; 15-30-40)—'Test Pilot' (M-G) (single). Will easily cop $12,000, possibly more; plenty socko. Last week, 'Marco Polo' (UA) and 'Gaiety Girls' (UA), dual, bettered expectations at $7,200.

**Mary Anderson** (Libson) (1,000; 15-30-40)—'Women Are Like That' (WB). Hardly strong enough b.o. to hold up as a single. Probably $3,100 in sight, fair. Last week, 'Fools for Scandal' (WB), lukewarm $2,900.

**Ohio** (Settos) (900; 15)—'Star Is Born' (UA) and 'Slim' (WB) (dual), split with 'Wee Willie Winkie' (20th), and 'Midnight Court' (WB) (dual). Poor $1,100. Last week, 'Easy Living' (Par) and 'Kid Galahad' (WB) (dual), split with 'As Good as Married' ( ) and 'Case of the Stuttering ishop' (WB) (dual), weak $1,200.

**lalto** (Fourth Ave.) (3,000; 15-30-)—'Jungle Love' (Par) and 'Island in the Sky' (20th) (dual). Nothing startling, but headed for $7,000, okay. Last week 'Sunnybrook Farm' (20th) and 'Trip to Paris' (20th) (dual), nice $8,000.

**Strand** (Fourth Ave.) (1,400; 15-30-40)—'Joy of Living' (RKO) and 'Condemned Women' (RKO) (dual) (2d week). So-so $2,900, after first stanza's okay $3,600.

## Key City Grosses

**Estimated Total Gross**
**This Week**.........$1,523,600
*(Based on 23 cities, 160 theatres, chiefly first runs, including N. Y.)*
**Total Gross Same eek**
**Last Year**..........$1,677,600.
*(Based on cities, 174 theatres)*

## Durbin-'Hardy' $15,500, 'Hawaii' $15,000, B'klyn

Brooklyn, April 26.

Several holdovers hereabouts and each doing well. Fabian Par in second stanza with 'Bluebeard' and 'Prison Nurse' and Loew's Met continuing 'Mad About Music' and 'Judge Hardy's Children.'

**Estimates for This Week**

**Albee** (3,274; 25-40)—'Hawaii Calls' (RKO) and 'Condemned Women' (RKO). Satisfactory $15,000. Last week, 'Sunnybrook Farm' (20th) and 'Moto's Gamble' (20th), good $15,000.

**Fox** (4,089; 25-40)—'Over the Wall' (WB) and 'Wide Open Faces' (Col). Nice $14,000. Last week, 'Fools for Scandal' (WB) and 'King of Newsboys' (Rep), mild $9,500.

**Met** (3,618; 25-50)—'Mad About Music' (U) and 'Hardy's Children' (M-G) (2d week). Oke $15,500. Last week, same pair, fine $17,000.

**Paramount** (4,124; 25-50)—'Bluebeard' (Par) and 'Prison Nurse' (Rep) (2d week). Bright $15,000 anticipated. Last week, pair received excellent $18,500.

**Strand** (2,870; 25-40)—'Girl Was Young' (GB) and 'Female Fugitive' (Mono), plus Major Bowes' unit with Bert Frohman over weekend. Oke $9,000 expected. Last week, 'Making the Headlines' (Col) and 'Wife of General Ling' (GB) plus vaude, fair $8,000.

## 'PILOT' ZOOMS $19,000, BALTO

Baltimore, April 26.

It's 'Test Pilot' in a big way here, sending Loew's Century to a long-time high. 'Bluebeard' at the Stanley is getting a fairish night play, but not as big as hoped.

**Estimates for This eek**

**Century** (Loew's-UA) (3,000; 15-25-35-40-55)—'Test Pilot' (M-G). Jamming them in for one of biggest grosses in months; booming $19,000. Last week, 'Marco Polo' (UA) disappointed somewhat at $11,200.

**Hippodrome** (Rappaport) (2,205; 15-25-35-40-55-66) — 'Joy of Living' (RKO) (2d week) plus h.o. of Abbott and Costello and new vaude. Dipping to mild $9,500. Last week, with p.a. of Clyde McCoy and orch, same pic was okay, $13,700.

**Keith's** (Schanberger) (2,460; 15-25-35-40-55) — 'Goodbye Broadway' (U). Opening supper show tonight (Tues) after 10 days of 'Jungle Love' (Par) to surprise take of $8,100.

**New** (Mechanic) (1,558; 15-25-35-55)—'Old Chicago' (20th) (2d week). Holding up in solid style at $5,000 after capacity-challenging first session to $7,300. Third week indicated.

**Stanley** (WB) (3,250; 15-25-35-40-55)—'Bluebeard' (Par). Getting some night play, but not as strong as hoped for; possible $10,000 the wind-up. Last week, 'Fools for Scandal' (WB), n.g. $4,000.

## 'BLUEBEARD' O.K. 15G; PITT MOSTLY TEPID

Pittsburgh, April 26.

Biz continues on the down-grade here, and boys generally are afraid the bottom hasn't been reached yet. Recent nosedive makes summer prospects pretty dark and nobody would be surprised to see a wide retrenchment take place, now that daylight savings is here to add to b.o.'s other woes.

**Estimates for This Week**

**Alvin** (Harris) (2,000; 25-35-50) — 'Old Chicago' (20th) (2d week). Easily this site's big coin picture of the year; shouldn't be far from $11,500; third stanza likely. Last week, spurted wildly in last few days to over $16,000; not too far behind house record.

**Fulton** (Shea-Hyde) (1,750; 25-40)—'Rebecca' (20th) (2d week). One of the poorest showings for any Temple ever to play here; for only four days, not because biz merited it but because house wanted to get back on regular Wednesday opening tomorrow with 'Goodbye Broadway' (U) and 'Island in the Sky' (20th) (dual); doubtful if Temple flicker will get $3,000. In first week, woefully weak at $8,100, not much more than house did Holy Week with an ordinary twinner.

**Penn** (Loew's-UA) (3,300; 25-35-50)—'Bluebeard' (Par). Should have no trouble holding up to $15,000 or thereabouts, unusually good. Last week, 'Jezebel' (WB) came through with better than $14,000.

**Stanley** (WB) (3,800; 25-40-60) — 'Women Like That' (WB) and George Jessel-Norma Talmadge on stage. Meagre $14,500 can be credited to Jessel. Last week, Allan Jones in person with 'Fools for Scandal' (WB), only $19,000.

**Warner** (WB) (2,000; 25-40)—'Ti - Off Girls' (Par) and 'Invisible Menace' (WB) (dual). Looks like $4,700, not bad at all. Last week, 'Romance in the Dark' (Par) and 'Penrod and His Twin Brother' (WB) (dual), struggle to get even near $4,000.

## 'BATTLE B'WAY,' VAUDE 27½G, BOSTON

Boston, April 28.

'Test Pilot' on double bill at Orph and State and three Hollywood personalities in person on the Memorial stage take top honors this week. Metropolitan holds over a film for the first time in its history, 'Old Chicago,' for an extra five days, alter a handsome tally for the first full week on a dual bill.

**Estimates for This Week**

**Boston** (RKO) (3,212; 25-35-40-55)—'Law of the Underworld' (RKO) and 'Waikiki Nights' unit on stage. Looks okay for $15,000. Last week, 'Midnight Intruder' (U), and French Folies unit on stage, faltered, $12,000.

**Fenway** (M&P) (1,382, 25-35-40-55)—'Jezebel' (WB) and 'Love on Budget' (20th) (2d run), double, strong $7,000 indicated. Last week, 'Jungle Love' (Par), and 'Island in Sky' (20th) (dual) (2d run) surprised with $6,300.

**Keith Memorial** (RKO) (2,907; 35-50-85)—'Battle of Broadway' (20th) and stage show starring Dixie Dunbar, Bert Wheeler, Jackie Cooper. Heading towards dandy $27,500. Last week, socko $29,500 for 'Baroness and Butler' (20th) and Guy Lombardo on stage.

**Metropolitan** (M&P) (4,287; 25-35-40-55)—'Old Chicago' (20th) and 'Tip-Off Girls' (Par) (double). Held over for five more days, aiming at about $10,500, okay. First week, smasho $28,000.

**Orpheum** (Loew) (2,900; 25-35-40-55)—'Test Pilot' (M-G). Solo smash, around $21,000 and possible holdover. Last week, big $19,400 on 'Golden West' (M-G) and 'No Time to Marry' (Col) (double).

**Paramount** (M&P) (1,797; 25-35-40-55)—'Jezebel' (WB) and 'Love on Budget' (20th) (dual) (2d run). Strong $9,000 on the way. Last week, 'Jungle Love' (Par) and 'Island in Sky' (20th), dual (2d run), very good $9,500.

**Scollay** (M&P) (2,538; 25-35-40-55)—'Jungle Love' (Par) (3d run), and 'Over the Wall' (WB) 2d run) (dual). Healthy $7,200 gait. Last week, $6,800 for 'Bluebeard' (Par) (3d run) and 'Moto's Gamble' (20th) (2d run), double; house takes on bank night, starting Friday (29).

**State** (Loew) (3,600; 25-35-40-55)—'Test Pilot' (M-G). Climbing high to about $18,000. Last week, very good $16,000 on 'Golden West' (M-G) and 'No Time to Marry' (Col), dual.

## 'Pilot' Terriff $20,000, 'Polo' $10,000, Buffalo

Buffalo, April 26.

Business has taken a substantial bracer here, with grosses moving up to top brackets. Last week proved a freak period with grosses everywhere, except the Lafayette, running away over expectations.

Currently 'Pilot' is doing turnaway, while 'Polo' is leaving room for improvement. Century is on the top shelf.

**Estimates for This eek**

**Buffalo** (Shea) (3,500; 35-40-60)—'Marco Polo' (UA). Fair $10,000 indicated. Last week, 'Women Are Like That' (WB), $19,000, fine.

**Century** (Shea) (3,000; 25-35)—'Go Chase Yourself' (RKO) and 'Penrod' (WB) (dual). May go to fine $9,000. Last week, 'Snow White' (RKO) (2d run), ended with fine $8,200.

**Great Lakes** (Shea) (3,000; 35-55)—'Test Pilot' (M-G). Should get great $20,000. Last week, 'Golden West' (M-G), very nice $13,400.

**Hipp** (Shea) (2,100; 30-50)—'Tom Sawyer' (UA) (2d week). Only fair; probably around $6,500. Last week swell $10,300.

**Lafayette** (Ind) (3,300; 25- 5)—'Goodbye, Broadway' (U) an 'City Girl' (20th) (dual). lightly better pace; probably $6.5 L st week, 'Start Cheering' ( 'Who Killed Gail Preston' ual), just fair $6,000.

# B'way Fast; Mae West Personal 41G, 'Polo $70,000 3d, 'Chi' 40G on 3d, 'Pilot' 42G 2d, 'Jungle'-Dorsey 39G

## Broadway Grosses

**Estimated Total Gross**
**This Week** .........$274,300
*(Based on 11 theatres)*
**Total Gross Same Week**
**Last Year** ..........$314,600
*(Based on 12 theatres)*

Post-Easter week on Broadway is bringing better than average business. Nice weather has prevailed as a setback but up through Sunday (24) kids and schoolteachers were an aid though apparently shopping carefully.

No new pictures of note came in, most of the town being on holdovers, but at the second-run State they hung out the name of Mae West and from Thursday (21) on that house has been getting a large share of the town's shoppers. Miss West, with 'Merrily We Live' on the screen second-run, looks like a possible $41,000, very big though not menacing the all-time record hung up a couple years ago by Rudy Vallee, $44,500. Considering that Vallee was in the house on a holiday week, $41,000 for Miss West, if struck, will be comparable with the record, a holiday almost making that difference. Miss West, getting $12,500 and a split 50-50 over $38,000, is paying for the entire vaude bill, consisting of four other acts. House is doing a total of 40 shows on the week. An effective campaign on the film star's engagement was put on for the State by Irwin Zeltner.

Four strong holdovers are churning to fine business. Two of these, 'Old Chicago' and 'Marco Polo' are on third weeks at their respective theatres, the Roxy and Music Hall. Former looks to get $40,000 or better on its current (3d) week and is being retained for a fourth. 'Polo' goes out on a powerful third week's take of $70,000, which with weeks of $92,000 and $101,000 up ahead, gives the 21-day engagement a grand total of $283,000.

The Capitol's 'Test Pilot,' by far the best for this large straight film operation in a long, long time, got close to $60,000 the first week and currently on its holdover will be about $42,000, excellent. Picture goes a third session. The Paramount wound up its second week of 'Her Jungle Love,' with the Tommy Dorsey band and Ben Blue last night (Tues.) at $39,000; also big profit, after an initial seven days' receipts of $46,500. 'College Swing' and the Kay Kyser band opens here today (Wed.). A poor holdover but reportedly committed under the contract is 'Sailing Along' at around $5,500 for the Criterion.

More important of the new pictures are 'Battle of Broadway,' at the Rivoli, and 'Accidents Will Happen' at the Strand, neither of which are getting anywhere. 'Broadway' looks under $8,000, very disappointing, while 'Accidents' probably will not strike $7,000 at the Strand. Latter is said to be considering a vaude policy over the summer after the way business has been going lately.

'Rawhide,' with Lou Gehrig, ball star, at the Globe appears to be doing average, week looking a likely $7,000. At the small-seater Rialto 'Condemned Women' will get about $6,000, fairish. 'Law of the Underworld' opens here on a preview tonight (Wed.).

**Estimates for This Week**

**Capitol** (4,520; 25-35-55-85-$1.25)—'Test Pilot' (MG) (2d week). A huge money-maker, this week (2d) looking around $42,000. Holds a third stanza. First seven days was just under $60,000, very big.

**Criterion** (1,662; 25-40-55)—'Sailing Along' (GB) (2d-final week). Held over because of a contract calling for two weeks but feeble initial seven days at only around $7,000, while second stanza $5,500 appears the answer.

**Globe** (1,274; 25-40-55)—'Rawhide' (20th). Western with Lou Gehrig started out nicely and may get to $7,000, good. Last week, 'Penrod and Twin Brother' (WB) came through with close to $7,000.

**Palace** (1,700; 25-35-55)—'Rebecca' (20th) (2d run) and 'Patient in Room 18' (WB) (1st run), dualed. This twin suggests a possible $8,800. Last week, 'Fools for Scandal' (WB) (2d run) and 'Over the Wall' (WB) (2d run), twinned, got $9,000.

**Paramount** (3,664; 25-35-55-85-99)—'College Swing' (Par) and Kay Kyser orchestra opens today (Wed.). Second week of 'Her Jungle Love' (Par) plus the Tommy Dorsey band and Ben Blue, with majority of draw credited to Dorsey, wound up last night (Tues.) with $39,000, excellent. The first week tallied $46,500.

**Radio City Music Hall** (5,980; 40-60-84-99-$1.65)—'Polo' (UA) and stage show (3d-final eek). Windup stanza looks $70,000 or close, very good, after a second week's take of $101,000 and initial seven days' drag through Holy Week of $92,000, highly profitable engagement. 'There's Always a Wom...' (Col) bows tomorrow (Thurs.).

**Rialto** (750; 25-40-55)—'Condemned Women' (RKO). Not doing much but some profit at $6,000. Last week the same was grossed by 'Wide Open Faces' (Col).

**ivoli** (2,092; 25-55-75-85-90)—'Battle of Broadway' (20th). Opened here Saturday (23) but not getting any play, probably less than $8,000. Last week, second for 'Pimpernel' (UA), only around $7,500, very disappointing. House is trying a reissue of 'Count of onte Cristo' (UA) starting Wednesday (4).

**Roxy** (5,830; 25-40-55-75)—'Chicago' (20th) and stage show (3d week). A swell business-getter, thi week (3d) looking $40,000 or better. Stays a fourth week. The second heat built to a magnificent $53,500, the final three days of that week beating the same days of the opening stanza.

**Strand** (2,787; 25-55-75)—'Accidents Will Happen' (WB). This one is also taking it on the chin, $7,000 being tops. Last week did around $8,000 with 'Torchy Blane In Panama' (WB). House is consideri vaude for the summer.

**State** (3,450; 35-55-75)—'Merrily We Live' (MG) and vaude bill headed by Mae West. Show opened very strong Thursday (21), getting $5,600 that day on six performances by Miss West, then dipped Friday and Saturday to under expectations but held firmly Sunday and on week may get to $41,000, very big though safely behind the house record of $44,500, which it was thought earli might be reached. iss West is getting $12,500 and a split of 50% over $38,000 but pays for the whole stage show out of that; however, looks to garner nice profit on engagement. She cut to five shows Monday (25), did same yesterday (Tues.) and today (Wed.) also plays five for total of 39 on the week. Though under a heavy nut, theatre will show a good profit on engagement. Last week, 'Goldwyn Follies' (UA) and Rudy Vallee got $33,500, excellent.

## 'PILOT' WAY UP, $12,000; SEATTLE MOSTLY OKE

Seattle, April 26.

Paramount goes single bill this week for 'Test Pilot,' this being the first solo for this house in an age.

**Estimates for This Week**

**Blue Mouse** (Hamrick-Evergreen) (850; 32-37-42)—'Tom Sawyer' (UA) and 'Moto's Gamble' (20th) (dual) (3d week). Indicated big $3,400. Last week, 'Rebecca' (20th) and 'Trip to Paris' (20th) dual, $3,100, okay.

**Coliseum** (Hamrick-Evergreen) (1,950; 21-32)—'Yank at Oxford' (M-G) and 'Paradise for Three' (M-G) (dual). Expect hefty $3,800. Last week, 'Happy Landing' (20th) and 'Chan at Monte Carlo' (20th) (dual) mild $2,900.

**Colonial** (Sterling) (850; 10-21)—'This Way, Please' (Par) and 'Big Town Girl' (20th) (dual), split with 'Roll Along Cowboy' (20th) and 'Squadron of Honor' (Col) (dual). Indicated healthy $2,300. Last week, 'Octopus' (WB) and 'Trigger Trio' (Rep) (dual), split with 'Rat' (RKO) and 'Sweethearts of Navy' (GN) (dual), $2,000, fair.

**Fifth Avenue** (Hamrick-Evergreen) (2,366; 32-37-42) — 'Old Chicago' (20th) (solo) (2d week). Headed for nice $6,000. Last week, same film, wow $12,200.

**Liberty** (J-vH) (1,800; 21-32-42)—'Always a Woman' (Col) (single). Heading for good $6,500. Last week, 'Divorce of Lady X' (UA) (solo) (2d week), $3,000, moderate.

**Music Box** (Hamrick-Evergreen) (800; 32-37-42)—'Snow White' (RKO) (solo) (7th week). Final garnering okay $2,700. Last week, same film, $3,200, good.

**Orpheum** (Hamrick-Evergreen) (2,600; 32-37-42)—'Jezebel' (WB) and 'First 100 Years' (MG) (dual) (2d week). Possibly $4,300, all right. Last week, same films, $7,800, big.

**Palomar** (Sterling) (1,350; 10-21-37)—'Old Barn Dance' (Rep) and 'No Time to Marry' (Col) (dual), plus vaude. Likely hefty $4,000. Last week, ' londes at Work' (WB) and vaude, slow at $3,100.

**Paramount** (Hamrick-Evergreen) (3,049; 32-37-42)—'Test Pilot' (M-G) (solo). Paced at great $12,000. Last week, 'Tom Sawyer' (UA) and 'Moto's Gamble' (20th) (dual) (2d week), big $6,000.

**Roosevelt** (Sterling) (850; 21-32)—'Gold Is Where You Find It' (WB) and 'Hitting New High' (RKO) (dual). Expect nice $2,500. 'Buccaneer' (Par) and 'Paid to Dance' (Col) (dual), fair $2,100.

# 'Old Chi' Afire $15,000, Tops Mpls.; 'Jungle Love,' 'Golden West' $4,000

Minneapolis, April 26.

'Old Chicago' is easily the town's standout grosser. Otherwise the box-office story continues sad.

**Estimates for This Week**

**Aster** (Par-Singer) (900; 15-25)—'Love Is a Headache' (M-G) and 'Swing Your Lady' (WB) (dual first runs). Satisfactory $1,100 indicated. Last week, 'Partners of Plain' (Par) and 'Jury's Secret' (U), split with 'Marriage-Business' (RKO) and 'Forbidden Valley' (U) and with 'Daredevil Driver' (WB) and 'Night Spot' (RKO), all duals (1st runs), fair $900.

**Century** (Par-Singer) (1,600; 25-35-40)—'Dangerous to Know' (Par). Looks like terrible $1,400 on five days. Last week, 'Sally, Irene and Mary' (20th), bad $2,700. 'Hardy's Children' (MG) opens tomorrow (Wednesday).

**Minnesota** (Par-Singer) (4,200 25-35-55)—'Old Chicago' (20th). Headed for tremendous $15,000 and holdover; second picture to do so at this house; other was 'San Francisco. Last week, 'Bringing Up Baby' (RKO), poor $5,700.

**Orpheum** (Par-Singer) (2,890; 25-35-40)—'Her Jungle Love' (Par). For first time house playing serial, 'Lone Ranger' (Rep), but only Friday to Sunday matinees, inclusive. Poor $4,000 in prospect. Last week, 'Women Are Like That' (WB) plus Eddy Duchin orch and stageshow, only $14,500, disappointing.

**State** (Par-Singer) (2,300; 25-35-55)—'Golden West' (M-G) (2d week). Will be lucky to exceed light $4,000. First week pretty good $7,200.

**Time** (Berger) (290; 15-25)—'Manhattan Merry-Go-Round' (Rep). Yanked after pulling only $400 for five days; 'Prison Nurse' (Rep) opens today (Tuesday). Last week, 'Boy of Streets' (Mono) (2d run), good $1,500 for eleven days.

**Uptown** (Par) (1,200; 25-35)—'Yank at Oxford' (M-G). Mild $2,200 indicated. Last week, 'Hurricane' (UA), fair $2,500.

**World** (Steffes) (350; 35-40-55-75)—'Mayerling' (French). Heading toward fine $1,800. Last week, 'Mad About Music' (U) (4th week), nice $1,800. Fine $2,000 at this house first week, or third downtown; previously had grabbed $12,000 in fortnight at Century.

# 'OLD CHI' WOW $17,500; SPRING HITS DENVER

Denver, April 26.

Dat ol' debbil, the weather man, is the enemy-in-chief of local exhibs currently. Mild spring spell is sending people outdoors and many are making trips to the mountains and parks. However, 'Old Chicago' is offering real competition, packing 'em in nearly all shows.

**Estimates for This Week**

**Aladdin** (Fox) (1,400; 25-40)—'Divorce of Madame X' (UA). Not so good, $2,500. Last week, ' light Case of Murder' (WB) (2d run), fair $3,000.

**Broadway** (Fox) (1,100; 25-40)—'Non-Stop New York' (GB). Very poor $1,000. Last week, 'Yank At Oxford' (M-G) and 'Love Is a Headache' (M-G) (dual) (both 2d run), excellent $3,000.

**Denham** (Cockrill) (1,7 ; 25-35-40)—'Tipoff Girls' (Par) and 'Back Stage' (GB) (dual). So-so $4,100 for six days. Last week, 'Jungle Lover' (Par) and 'Portia on Trial' (Rep) (dual) (2d week), good $5,500.

**Denver** (Fox) (2,525; 25-35-50)—'Old Chicago' (20th). Repeated standouts and growing bigger all the time; $17,500 seems likely. Last week, 'International Settlement' (20th) and Bowes unit, nice $11,000.

**Orpheum** (RKO) (2,600; 25-35-40)—'Golden West' (M-G) (2d week). Good $7,500. Last week, terrific $12,000.

**Paramount** (Fox) (2,200; 25-40)—'Goodby Broadway' (U) and 'Midnight Intruder' (U) (dual). Healthy $4,000. Last week, 'Penrod and Twin Brother' (WB) and 'Love, Honor and Behave' (WB) (dual), good $4,000.

**Rialto** (Fox) (87 ; 25-40)—'Mad About Music' (U) (2d week) (3d run) and 'Happened Out West' (20th) (dual). Nice $2,300. Last week, 'Mad About Music' (U) and 'Rose of the Rio Grande' (Mono) (dual), plenty good, $3,800.

# 'Underworld' on Rebound

Hollywood, April 26.

Par will remake Ben Hecht's 'Underworld,' originally filmed as a silent in 1927. Robert Florey will direct with Akim Tamiroff, Gail Patrick and Lloyd Nolan as cast toppers.

George Bancroft, velyn rent an Clive Brook were in the early film.

# Europe Unrest Prompts Par's 'Farewell' Reissue

Taking advantage of Europe's political tensity since the Vienna coup, Paramount will reissue 'Farewell to Arms,' picture based on Ernest Hemingway's war story dealing with the Italo-Austrian front.

Starring Gary Cooper and Helen Hayes, the film was Paramount's big money maker in 1932. It will be replayed in about 200 key spots in this country June 3, and is being set for revivals abroad on the same date.

# 'PILOT' SOARS, $18,500; 'OLD CHI' $12,000, PROV.

Providence, April 26.

'In Old Chicago' at Majestic and 'Test Pilot' at Loew's, sellouts since opening, look like big coin. Albee is holding over 'Hawaii Calls' and 'Joy of Living' bill for okeh week.

**Estimates for This Week**

**Albee** (RKO) (2,200; 25-35-50)—'Hawaii Calls' (RKO) and 'Joy of Living' (RKO) (2d week). Expect drop, but still good at $7,000. Hit neat $8,500 last week.

**Carlton** (Fay-Loew) (1,400; 25-35-50)—'Marco Polo' (UA) (2d run). Neat $3,400 in view. Last week, 'Hardy's Children' (M-G) and 'Lone Wolf in Paris' (Col) (2d run), fine $3,200.

**Fay's** (2,000; 25-35-50)—'Reckless Living' (U) and Uncle Ezra Stebbins on stage. Looks fairly good, $7,000. Last week, 'Over the Wall' (WB) and vaude, big $8,000.

**Loew's State** (3,200; 25-35-50)—'Test Pilot' (M-G). Terrific $18,500 spotted. Last week, 'Marco Polo' (UA) and 'Gaiety Girls' (UA) cheerful $12,000

**Majestic** (Fay) (2,300; 25-35-50)—'Old Chicago' 20th). Pulling them in for record $12,000. Last week, 'Battle of Broadway' (20th) and 'Accidents Will Happen' (WB), nice $7,000.

**Strand** (Indie) (2,200; 25-35-50)—'King of Newsboys' (Rep) and 'Hollywood Stadium Mystery' (Rep). Heading for very good $8,000. Last week, 'Jungle Love' Par) and 'Bulldog Drummond's Revenge' (Par), only so-so $5,000.

## GUILD MAG SUED

Hollywood, April 26.

Seymour L. Simmons filed suit for $25,400 against Screen Actors Guild magazine, claiming he was dismissed as advertising manager before the expiration of his contract.

Discharged March 8, Simmons figures his salary and commissions would have reached that amount by Aug. 18, 1938, termination date of his contract.

## READYING CO-ED GRIDDER

Hollywood, April 26.

'Hold That Co-Ed' is the title for the next football musical to be filmed by 20th-Fox, with production to start early in the summer. George Marshall will direct, David Hempstead as associate producer.

Karl Tunberg and Donald Ettlinger are writing the screen play.

# *NBC's Postoffice*

ntinued from page 1)

matter that would clear for the two chains. When it dawned on someone that, if carried out, would mean that CBS would have to send over to NBC for their mail, CBS faces purpled. 'Never,' they say, but Gilman nevertheless is broaching the plan to Postmaster General Farley.

Both nets announced they would hold on to their remote spots after the new plants are functioning. CBS has one (Music Box) under lease and the other (Vine Street) its own on an outright buy. Senior chain holds a lease on the El Ca itan on Hollywood boulevard.

NBC has one less headache than its adversary on the moveover. Gilman has announced that the old plant will be retained until the lease runs out two years hence, while Donald Thornburgh, CBS, is trying to swing a deal for the old KNX plant. Max Reinhardt has designs on the building as headquarters for his proposed Summer Festival and a school for those with thespic urges ut ther 's been no coin on the line.

# Col. Wins $100,000 Libel Suit in Philly

Philadelphia, April 26.

Six hours of deliberation by a Federal Court jury here last week resulted in a victory for Columbia Pictures in a $100,000 damage suit filed against it by the Sun Ray Drug Co. Drug firm charged that its reputation was damaged in the Columbia film, 'Girls at Play.'

In the pic, an illegal likker syndicate, posing as the New Deal Drug Co., sells out to a firm named the Sun Ray Drug Co. for $90,000, without the latter taking proper precautions to see that the sale is legal.

Local Sun Ray outfit claimed that use of its name to portray a racket firm in the film damaged its reputation to the extent of $100,000. Pic was viewed by judge and jury in Columbia's projection room here before the case was argued. Morris Wexler, Columbia attorney, maintained that use of the tag 'Sun Ray' was merely a coincidence. William A. Gray, counsel for the drug outfit, which operates 37 stores, immediately filed a petition for a new trial.

# 'PILOT' A SOCK $22,000, FRISCO

San Francisco, April 26.

Only new feature to overcome conditions is 'Test Pilot' at the Warfield. Doors are being cleaved at 9:30 a. m. in order to take care of the ticket buyers. Things are a bit brighter also at the Par this week, with 'Her Jungle Love.'

**Estimates for This Week**

**Embassy** (Cohen) (1,512; 35-55)—'Met Love Again' (UA) and 'Gaiety Girls' (UA). Embassy seems to be taking advantage of the bad biz by doing the worst of the lot. Although house took it on the chin during seven days with this pair, it had to hold the bill three additional days in order to get back to its regular Wednesday opening, starting tomorrow. Very punko $3,500 on the run.

**Fox** (F-WC) (5,000; 35-55-75)—'Golden West' (MG) and 'Moto Gambles' (20th) (2d wk). MacDonald-Eddy operetta at $12,000 plenty good considering. Last week hit cheerful note at $19,500.

**Golden Gate** (RKO) (2,850; 35-55)—'Joy of Living' (RKO) and vaudeville (2d wk). Irene Dunne getting a pretty good play in its second week with $12,000 in sight. Last week good $17,500.

**Orpheum** (F&M) (2,440; 35-55)—'Always a Woman' (Col) and 'Reckless Living' (U). After going through one of the worst weeks in a long time the Orpheum is staging somewhat of a comeback with Blondell-Douglas comedy, which should knock off about $8,000. Last week 'Goodbye Broadway' (U) and 'Lone Wolf' (Coy) below $5,000.

**Paramount** (F-WC) (2,740; 35-55-75)—'Jungle Love' (Par) and 'Penrod Twin Brother' (WB). The WB picture marks the first time one of 'Penrod' pictures with Mauch Twins has played a first run on Market street. It may hurt 'Tom Sawyer' at the rival United Artists across the street. A lucky $15,000 in sight. Last week 'Fools for Scandal' (Par) and 'Dangerous to Know' (Par) terrible $9,000.

**St. Francis** (F-WC) (1,470; 35-55-75)—'Fools for Scandal' (WB) and 'Dangerous to Know' (Par) (2d wk). After a blah first week at the Par this combo had to move down to the St. Francis, which had nothing else to play; taking it on the chin at $3,000. Last week 'Rebecca' (20th) and 'Couldn't Say No' ( ) (2d wk) tepid $5,000.

**United Artists** (Cohen) (1,200; 35-55)—'Tom Sawyer' (UA) (2d wk). Looks like good enough $7,500. Last week finished up with $11,000, which was a bit better than expected.

**Warfield** (F-WC) (2,680; 35-55-75)—'Test Pilot' (MG). This picture seems to have what it takes to overcome bad biz. Due to the running time of 'Pilot,' the Warfield is not double-billing. A great $22,000 anticipated. Plugs on the radio and critical raves gave the picture a ready-made audience. Last week (3d) 'Jezebel' (WB) and 'Island in Sky' (20th) dwindling $6,500.

## Hilton Back Home

Hollywood, ril 26.

James ilton leaves over weekend for England after completing the script of Metro's 'Forsythe' saga.

Will work on a novel abroad.

## Lusty's Whodunit

Hollywood, April 26.

RKO has named Lou Lusty as producer for 'Inside Room,' a mystery comedy by Ed Olmstead.

Studio is seeking ZaSu itts for femme lead.

# *New Faces Trim Budgets*

(Continued from page 5)

Roses Queen. She has never before appeared in a picture.

Harold Lloyd borrowed Phylis Welch from Metro stock school to play opposite him in 'Professor Beware,' made for Par. After two supporting roles, Bob Hope, known on the stage and radio but not to the picture fans, was given the lead in 'Give Me a Sailor' with Martha Raye. Louise Platt was borrowed from Walter Wanger by Par for 'Spawn of the North,' and bracketed with Henry Fonda and George Raft. Dorothy Howe, six months ago playing extra parts while attending the Par stock school, has had two second leads since first of the year and is being groomed for top roles. Franciska Gaal, though known in Europe, was a gamble when Cecil B. De Mille gave her the top role in 'The Buccaneer.' Par's list of newcomers takes in Florence George, Olympe Bradna, John Howard, Tito Guizar, Donald O'Connor, lat r from the O'Connor family of stage and vaude. Meanwhile, arlene Dietrich came to the end of her career with the studio, ith a saving of $250,000 a year—almost enough to pay the salaries of all the new players mentioned.

Par execs still shudder at the cost sheet on 'Bluebeard's Eighth Wife.' Totals reached near $600,000 before a camera turned, what with Claudette Colbert and Gary Cooper each netting $150,000 in lary, to say nothing of Ernst Lubitsch, since departed.

Outstanding example of an unknown and the buildup given her is Si rid Guri , Flatbush housewife, who faced her first camera for Sam Goldwyn in ' arco Polo!'

Previously a pace-setter under Darryl Zanuck, 20th-Fox has fallen slightly behind Par in the race for new names to the exclusion of old stars. All are being 'carried' by known players and seemingly clicking. Warner Baxter launched Arleen Whelan as his leading lady in 'Kidnapped,' Robert Louis Stevenson's book. She improved so fast in the latter part of the picture, studio reshot the first scenes. It is her first and only picture, being a manicurist a few months ago. Marjorie Weaver's first show was 'Second Honeymoon,' with Tyrone Power and Loretta Young. Now she is cast opposite Baxter in 'I'll Give a Million.' She won a beauty contest while at Indiana university and has been in the stock school two years.

**Zanuck Buildup Scheme**

Miss Weaver is a good example of the usual Zanuck policy with new players. He wants them adequately prepared and does not believe in pushing them too fast unless they show marked ability. Lynn Bari is now playing her first lead in 'Sporting Champs' after two supporting roles. Dick Greene was rushed to Hollywood from London to take a lead in 'Four Men and a Prayer.' He had stage experience but is new to pictures and is now playing male lead to Sonja Henie in y Lucky Star.'

Another being boosted to top ranking is Lurline Uller, five years an extra. Zanuck spotted her in a dancing sequence in 'Sally, Irene and Mary.' She had used the money earned as an extra to take dancing lessons. She had no intention of being an actress. Phyllis Brooks is also being groomed, as is Robert Kellard.

It was 20th-Fox that barred Myron Selznick, topflight agent, from the lot not long ago. Main contention of all lots is that agents in general have pyramided salaries to a point where studios can't stand the gaff.

Warners is definitely in the race for new faces and lower casting costs. When Dick Powell refused a role in 'Garden of the Moon' he was suspended and John Payne placed in the lead. It marks Payne's first major role. Margaret Lindsay is another being boosted to leading roles: Marie Wilson, an extra girl a few months ago, today is cast as femme lead in 'Boy Meets Girl' with Pat O'Brien and James Cagney. Rosemary Lane had her first film role in 'Hollywood Hotel'; riscilla, her sister, made her debut in ' en Are Such Fools,' and is now in top spot in latest Dick Powell ' al, Cowboy From Brooklyn.' onita Granville, talented moppet, is set for lead in a series to be produced by ryan Foy. Meanwhile options of several well-knowns are coming up with no possibility the studio will renew at the present coin.

As one studio exec said recently, 'Talk to a bunch of college or high school kids about stars and see what they say of some of the big names that have been before cameras for 10 years or more. Half a dozen famous stars I know would be surprised to hear the students say, 'that old lady, why, she is as old as Noah!'

**Comrades—But Costly**

Warners, like Par with 'Bluebeard,' still remembers with a bad taste in the mouth the filming of 'Tovarich.' Picture stood them $300,000 for two stars' salaries before a wheel moved. Femme star not only was costly in salary but in temperament as well, causing sets to be redesigned and many hours lost because of her indifference in reporting to sets.

Even Republic, with a few players on the contract list, lost no time in letting its only outstanding star, Gene Autry, know a new face woul replace his if he walked off the lot in a salary dispute. Autry held out and today Roy Rogers, who had had bits in two pictures, has been boosted to stardom and is filling the bill.

Metro has Dennis O'Keefe, an extra until he scored in 'Bad Man of Brimstone.' Virginia Bruce was an extra who zoomed high. O'Keefe and Miss Bruce are playing the romantic leads i 'Hold That Ki ,' now before the camera. Lana Turner is another stock girl getting top roles in recent months.

Selznick-International has been building rapidly. Ann Gillis, Tommy Kelly, moppets, Margaret Tallichet, Paulette Goddard, Toni Noviska and Alan Marshall have all been groomed for marquee billing. Miss Goddard has been one of the forgotten wom of Hollywood since she played wi Charles Chaplin in 'City Lights.' Selznick has set her for a role in 'Heartbreak Town.' Marshall has been mostly on loan-out. Toni Noviska is Polish and has been taking English lessons five months. She is ready for tests.

**oving Back Decimal Point**

Pay off as far as the studios are concerned is that not only are they effecting big savings by casting these new ones in top spots, but their contracts as written call far less coin on option pickups than in the past. Most of the older players have contracts that put them in the big figures long before their contracts expire, whereas those being written today will never reach the $100,000 a picture class. In fact most of them won't exceed $25,000 a picture.

Meanwhile assignments are getting fewer for many of the high-priced freelancers. A few are definitely on the upbeat and will prosper as long as certain type pictures are made. Another answer of the studios to rising talent costs has been the series pictures. The b.o. dictates to a major extent, but producers declare the series like the Chans, Jones Family, Judge Hardys and others are marvelous tonic for inflated egos as well as for preventing inflation at the start. The pictures are known by the series name and not primarily by that of any one player. As it was pointed out at 20th-Fox, Warner Oland as Charlie Chan is a terrific draw, but Oland elsewhere is just another player. Same applies to the Jones family, the Hardys and others.

## Seiter's 'Service'

ollywood, April 26.

Pandro Berman has set William Seiter to direct the Marx Bros. in 'Room Service' at Radio.

Picture rolls in May.

## BRADNA ON VIEW

Hollywood, April 26.

Oly radna is doing a coast-to-coast personal appearance tour in connection with Paramount's 'Stolen Heaven,' her first starrer.

Stopovers are scheduled at Denv Kansas City, Dallas, Houston, Louis, Chicago, ilwaukee, Indianapolis, Washington, Philadelphi New York.

## WILBUR AS NAP

Hollywood, April 26.

rane Wilbur will portray Napol n in Warners his ical picture, 'The Hundred Days,' dealing with Bonaparte's escape from Elba and his subsequent downfa : Waterloo.

Picture will be made in Technicolor.

# Just Fair Biz Looks Swell to Philly; 'Pilot' Big 23G; 'Battle B'way' $22,600

Philadelphia, April 26.

Another sked of heavyweight product in practically all midtown deluxers is giving Philly b. o.'s a pleasant tang again this week. Except at the Stanley, where 'Test Pilot' is zooming to a smacko $23,000, the take is just about normal. To this town, however, which has been sagging ith under par grosses all winter, 'just about normal' looks swell. Total b. o. will be considerably under last week because of flock of h. o.'s.

**Estimates for This Week**

**Aldine** (WB) (1,303; 42-57-75)—'Marco Polo' (UA) (2d week). Hitting satisfactory $9,800; on the borderline of being held over. Last week, strong $15,000.

**Boyd** (WB) (2,350; 42-57-68-75)—'Joy of Living' (RKO). Like much of the other line-up in town, giving the house just about a par $15,700. Last week, 'Mad About Music' (U) (2d week), $15,000, not quite up to expectations. 'Four Men and a Prayer' (20th) in Thursday (28).

**Earle** (WB) (2,758; 25-37-42-57-68)—'Battle of Broadway' (20th), Cab Calloway orch on stage. Vaudfilmer taking off again after couple slimmer weeks; powerful $22,600. Last week, 'Island in the Sky' (20th) and Glen Gray's crew, good $20,100.

**Fox** (WB) (2,423; 42-57-68-75)—'Old Chicago' (20th) (2d week). Blazing along after eight successful weeks of two-a-daying here; $13,500 and pencilled for another sesh.

**Karlton** (WB) (1,066; 42-57-68)—'Jezebel' (WB) (2d run) (2d week). Another nifty at $5,800 for this prolonged midtown stay. Last week, clipped $7,800.

**Keith's** (WB) (1,870; 42-57- )—'Mad About Music' (U) (2d run). Energy for third week in town, $5,900. Last week, 'Snow White' (RKO) handily managed $7,100 in its third gallop at this second-run house, after four turns at the Stanley.

**Stanley** (WB) (2,916; 42-57-68-75)—'Test Pilot' (M-G). Word-of-mouth, praisy newspaper reviews and big buildup; lofty $23,000; set for at least three laps; next pic 'Robin Hood' (WB), not skedded in until May 13. Last week, 'Fools for Scandal' (WB), just so-so at $15,600.

**Stanton** (WB) (1,457; 37-42-57)—'King of the Newsboys' (Rep). As expected, mediocre $5,500. Last week, 'Prison Nurse' (Rep), same category, $5,800. 'Women Are Like That' (WB) due Saturday (30).

# SOLO 'PILOT' $14,000, 'LIKE THAT' 8G, INDPLS.

ianapolis, April 26.

'Test Pilot' unhampered by a second feature, is getting a good turnover with a two-hour program in contrast to the theatre's usual three-hour dual bills. Nothing else among the first runs is making much of a showing.

**Estimates for This Week**

**Apollo** (Katz-Dolle) (1,100; 25-30-40)—'Old Chicago' (20th) (4th week). All right at $2,500, considering holdover. Last week, same pic did nicely at $3,200.

**Circle** (Katz-Dolle) (2,800; 25-30-40)—'Fools for Scandal' (WB) and 'Battle of Broadway' (20th). Fairly good at $5,600. Last week, 'Jungle Love' (Par) and 'Moto's Gamble' (20th), $5,400.

**Indiana** (Katz-Dolle) (3,100; 25-30-40)—'Joy of Living' (RKO) and 'Crime of Hallett' (U). Not extra at $5,300. Last week, 'Rebecca' (20th) and 'This Marriage Business' (RKO) disappointment for a Shirley Temple, lightweight $5,000.

**Loew's** (Loew's) (2,400; 25-30-40)—'Test Pilot' (M-G). Single feature is wise for this pic; take is zooming to 14,000. Last week, 'Marco Polo' (UA) and 'Gaiety Girls' (UA) $6,700, moderate.

**Lyric** (Olson) (2,000; 25-30-40) — 'Women Are Like That' (WB) and Major Bowes unit. Only fair $8,000. Last week, 'Accidents Will Happen' (WB) and Wayne King orch on stage, season's record, $13,600.

## 'Pilot' Solos $10,000 As Omaha Experiment

Omaha, April 26.

Omaha is running 'Test Pilot' single feature, first time this house has soloed in couple of seasons. Recently biz on 'Old Chicago' and 'Snow White' indicated some possibility for the solo film.

**Estimates for This Week**

**Brandeis** (Singer-RKO) (1,250; 10-26-35-40)—'There's Always a Woman' (Col) and 'Start Cheering' (Col) dualed. Mediocre $4,300. Last week, 'Joy of Living' (RKO) and 'Lone Wolf in Paris' (Col) (doubled), $3,800, slow.

**Avenue - Dundee - Military** (Goldberg) (310, 650, 950; 10-25)—'Radio City Revels' (RKO) and 'High Flyers' (RKO), first half-week, 'Hurricane' (UA) and 'Baroness and Butler' (20th) Sunday through Wednesday. Total near $2,500, good. Last week, 'Vogues' (UA) and 'Stand In' (UA), first half, and 'Happy Landing' (20th) and 'Gold Is Where You Find It' (WB), second half (dual bills), $2,300, good.

**Omaha** (Blank) (2,100; 10-25-40)—'Test Pilot' (M-G). Single billed in momentous undertaking for film row; looks for excellent $10,000. Last week, 'Marco Polo' (UA) and 'Walking Down Broadway' (20th), double billed to good $8,700.

**Orpheum** ( lank) (2,976; 10-25-40)—'Jungle Love' (Par) and 'Checkers' (20th) (dual bill). Average $7,800. Last week, 'Sunnybrook Farm' (20th) and 'She Couldn't Say No' (WB) (double), $9,000, low.

# 'WOMAN'-VAUDE OK $19,500, D. C.

Washington, April 26.

Product in downtown first-runs is below par this week, with the grosses below par right along with it. Nice weather keeping localites and tourists alike out in the opening and week-end was off.

Healthiest business being done apparently by holdovers, 'Chicago' at Palace and 'Joy of Living' at Keith's looking toward better-than-average second terms.

**Estimates for This eek**

**Capitol** (Loew) (3,424; 25-35-40-66)—'Battle of Broadway' (20th) and vaude. Allan Jones on stage the only draw, but even he can't pull that pic to better than mild $18,000. Last week, 'Tom Sawyer' (UA), healthy $21,000.

**Columbia** (Loew) (1,583; 25-40)—'Golden West' (M-G) (2d run). Holding up well for third week on main stem, probably to $5,000. Last week, 'Rebecca' (20th) (2d run) off to sleazy $4,000.

**Earle** (WB) (2,244; 25-35-40-88)—'Always a Woman' (Col) and vaude. Heading for nice $19,500. Last week, 'Fools for Scandal' (WB) not so hot at $15,500.

**Keith's** (RKO) (1,830; 35-55)—'Joy of Living' (RKO) (2d week). Still lively and looking toward $8,500. Last week, same pic smashed through to $12,500.

**Metropoli** (WB) (1,853; 25-40)—'Jezebel' ( ) (2d run). In third week downtown and still looking rosy, headed toward $5,000. Last week, same pic good at $7,500.

**Palace** (Loew) (2,383; 35-55)—'Old Chicago' (20th) (2d week). Headed toward sugary $12,000. Last week, same pic blazed to $19,000.

# 'OLD CHI' HOT $10,000, DURBIN $7,000, MONT'L

ontreal, April 26.

Three repeats, a legit show and a reissue cut down films on the Main stems to one big grosser. Outside this one there will be nothing standout anywhere currently.

**Estimates for This Week**

**His Majesty's** (CT) (1,600; 50-$2. ) 'Brother Rat' (legit). Opened yesterday (Monday). Last week, 'Mayerling' (French), disappointing at $3,500.

**Palace** ( ) (2,700; 50)—'Mad About Music' (U) (2d week). May gross $7,000 after excellent $11,000 last week.

**Capitol** (CT) (2,700; 50)—'Old Chicago' (20th). Should not be under $10,000, very good. Last week, 'Merrily We Live' (M-G) and 'Arsene Lupin Returns' (M-G), fair $8,000.

**Loew's** (M. T. Co.) (3,200; 50)—'All Quiet' (U) (reissue); and 'She's Got Everything' (RKO). Will be satisfactory around $5,000. Last week, 'Hawaii Calls' (RKO) and 'Red' Skelton's stage show, grossed very fine $12,000.

**Princess** (CT) (2,300; 50)—'Farewell Again' (Regal-Brit) and 'When Knights ere Bold' (Regal-Brit). Will gross $7,000, excellent. Last week, 'Jungle Love' (Par) and 'Tip-Off Girls' (Par) good at $6,000.

**Orpheum** (Ind) (1,100; 50)—'Goldwyn Follies' (UA) (2d week). Should do nice $4,000 after very good $6,000 first week.

**Cinema de Paris** (France-Film) (600; 50)—'Les Mensonges de Nina Petrovna' (2d week). Will gross $1,600, good after okay $1,800 last week.

**St. Denis** (France-Film) (2,300; 34)—'Abus de Confiance' and 'La Griffe du Hazard.' Expect good $6,000. Last week, 'L'Appel de la Vie' and 'Les Degourdis de la flme' fine at $7,000.

## First Runs on Broadway

*(Subject to Change).*

**Week of April 28**

**Capitol** — 'Test Pilot' (3d wk).

**Criterion** — 'Invisible Enemy' (Rep) (29).

*(Reviewed in* VARIETY, *April 13)*

**Globe**—'Flight Into Nowhere' (Col) (30).

**Music Hall**—'There's Always a Woman' (Col).

**Paramount** — 'College Swi (Par) (27).

*(Reviewed in current issue)*

**Rialto** — 'Law of the Underworld' (RKO).

**Rivoli**—'Battle of Broadway' (20th).

*(Reviewed in current issue)*

**Roxy**—'In Old Chicago' (20th) (4th wk).

**Strand**—' (30).

**Week of May 5**

*(Subject to Change)*

**Capitol** — 'First 100 Years' (MG).

*(Reviewed in* VARIETY, *March 16)*

**Criterion**—'Arson Gang Busters' (Rep).

**Music Hall** — 'Joy of Living' (RKO).

*(Reviewed in* VARIETY, *March 23)*

**Paramount** — 'College Swing' (Par) (2d wk).

**Rivoli**—'Battle of Broadway' (20th) (2d wk).

**Roxy** — 'Four a Prayer' (20th).

*(Reviewed in current issue)*

**Strand**—'Crime School' ( )

# 'WOMAN'-WAYNE KING BEST IN DET., 20G

Detroit, April 26.

Boys can't find the bottom, which dropped out again last Friday (21), when a record 55,000 persons jammed Briggs Stadium for opening Tiger baseball game. If biz continues in current valley, several spots'll find it plenty tough struggling through the summer months, especially in view of usual slump in auto plants during hot months.

No winners this week, but Fox, with 'There's Always a Woman' and Wayne King band on stage, looks to come home first.

**Estimates for This**

**Adams** (Balaban) (1,7 ; 30-40)—'Boys of Streets' (Mono) plus 'Old Kentucky Home' (Mono) dual. About $4,500, okay. Last week nice $6,500 for 'Old Chicago' (20th) (2d week of re-run) and 'When G-Men Step In' (Col).

**Fox** (Indie) (5,000; 30-40-65)—'There's Always Woman' (Col) and Wayne King band on stage. Around $20,000 due, satisfactory in view of situash. Over $28,000, neat, last stanza for 'Rebecca' (20th), with Jessel-Norma Talmadge on stage.

**Madison** (United Detroit) (2,000; 30-40-65)—'Marco Polo' (UA). Hit like the rest, and will get about $6,500, tepid. Eighth session of 'Snow White' (RKO) pulled in okay $6,000 last stanza for profitable two months.

**Michigan** (UD) (4,000; 30-40-65)—'Women Like That' (WB), with Gene Dennis and Boris Karloff heading vaude. Pic and stage getting very cold reception at miserable $8,000. Good $23,000 last week for 'College Swing' (Par), with Spanky McFarland, Tommy Riggs and Mary Lou on stage.

**Palms-State** (UD) (3,000; 30-40-50) 'Lupin Returns' (MG) plus 'Dangerous to Know' (Par) dual. Fair $6,500 coming up. Good $8,000 last stanza on 'Romance in Dark' (Par) plus 'Over Wall' (WB).

**United Artists** (UD) (2,000; 30-40-65)—'Test Pilot' (MG). At $8,000, nothing what it should be. 'First 100 Years' ) very mild $5,000 last week.

## 'Merrily' Duo Merry $3,500 In Lincoln; 'Sawyer' $4 000

incoln, April 26.

Run for biz is a tossup between 'Tom Sawyer' at the Stuart and 'Merrily We Live' on top of a dual at the Lincoln. Biz still rests with the first runners, the subsequents largely getting the go-by.

**Estimates for This**

**Kiva** (Noble) (440; 10-15) — 'Wide Open Faces' (Col). Brown is no fav here, and take average, $900. Last week, 'Sailing Along' (GB) showed Jessie Matthews up fat and the b.o. lean, $800.

**Liberty** (Cooper) (1,200; 10-15) — 'Blondes at Work' (WB) and 'Frisco Kid' (WB) split with 'Rebellion' (Rel) and 'State Patrol' (U). irish. $900. Last week, 'Border ' ( ) and '45 Fathers' (20th) split with 'Scarface' (UA) and 'Sergeant Murphy' (WB), good, $1,100.

**Lincoln** (Cooper) (1,600; 10-20-25) — 'Merrily We Live' (MG) and 'Arsene Lupin Returns' (MG). Going swell with $3,500 possible. Last week, 'Rebecca' (20th) and 'Love on Budget' (20th), good, $3,100.

**Orpheum** (Cooper) (1,350; 10-15-20-25)— 'Love is Headache' (MG) and 'Wise Girl' (RKO). Okay, $1,600. Last week, 'Everybody Sing' (MG) and 'She's Got Everything' (RKO), nice, $1,700.

**Stuart** (Cooper) (1,900; 10-25-40) — 'Tom Sawyer' (UA). Sprinting for $4,000, good. Last week, ' tuebeard' (Par) got $3,900, pretty fair.

# 'PILOT' $19,000, CINCY SPOTTY

Cincinnati, April 28.

'Test Pilot' is soaring to the burg's highest b.o. mark for several weeks with a $19,000 pult at the Albee. Trade is n.s.g. at the other cinemas. Combo Shubert has Fred Waring's band as the magnet and is hitting its best figure for past month or so at $13,500.

**Estimates for This eek**

**Albee** (RKO) (3,300; 35-42)—'Test Pilot' (M-G). Great $19,000. Last week, 'Joy of Livi ' (RKO), $11,000, fair.

**Capitol** (RKO) (2,000; 35-42)—'Joy of Living' (RKO) (2d run). Fair $4,000. Same last week on 'Merrily We Live' (M-G) (2d run).

**Family** (RKO) (1,000; 15-25) — 'Rawhide' (20th), 'Making the Headlines' (Col), 'He Couldn't Say No' (WB), singly. Good $2,400. Last week, 'Bulldog Drummond's Peril' (Par), 'Tarzan's Revenge' (20th), 'Boggs Steps Out' (GN), separate, ditto.

**Grand** (RKO) (1,200; 25-40) — 'Hardy's Children' (M-G) (2d run). Fairly good $2,800. Last week, 'Golden West' (M-G) (3d week), same.

**Keith's** (Libson) (1,500; 25-40) — 'Romance in Dark' (Par). Very poor $2,800. Last week, 'Hardy's Children' (M-G), $5,500, good.

**Lyric** (RKO) (1,400; 35-42)—'Marco Polo' (UA) (2d run). Fair $4,500. Last week, 'Hawaii Calls' (RKO), $3,700, slow.

**Palace** (RKO) (2,600; 35-42) — 'Fools for Scandal' (WB) six days. Pitiful $7,000. Last week, 'Marco Polo' (UA), $12,000, okay.

**Shubert** (RKO) (2,150; 42-60) — 'Divorce of Lady X' (RKO) and Fred Waring's orch. Satisfactory $13,500. Last week, 'Midnight Intruder' (U) and Al Pearce gang, $12,500, good.

# PORTLAND CHEERFUL; 'TEST PILOT' 8G, TOP

Portland, Ore., April 28.

Three smash b. o. winners vie for the burg's top gross this week. 'Test Pilot' at Parker's UA is a natural bonanza and will run at least four weeks. Parker's Broadway had 'Marco Polo' still running a hot score in its second stanza. Big Hamrick-Evergreen Paramount tossed overboard its usual double-feature policy to single shoot 'In Old Chicago.' Pic is also doing a fine biz.

**Estimates for This Week**

**Broadway** (Parker) (2,000; 30-55)—'Marco Polo' (UA) (2d week). Great $6,000. irst week, terrific $9,200.

**Mayfair** (Parker-Evergreen) (1,500; 30-55) — 'Sunnybrook Farm' (20th) (2d run) and 'The River' (Par). Average $2,000. Last week, 'Merrily We Live' (MG) (2d week), fair $1,800.

**Orpheum** (Hamrick - Evergreen) (2,000; 30-55)—'Jungle Love' (Par) and 'Walking Down Broadway' (20th) (dual). Good enough $5,000. Last week, 'Jezebel' (WB) and 'Romance in the Dark' (Par) (dual) (2d week), okay $4,000.

**Paramount** (Hamrick-Evergreen) (3,000; 30-55)—'Old Chicago' (20th) (single). Good $7,000. Last week, 'Sunnybrook Farm' (20th) and 'International Settlement' (20th) (dual), not sensational $5,700.

ivoli (Indie) (1,200; 25-35) — 'Sailing Along' (GB) and 'Dark Journey' (UA) (dual). ice $2,300. Last week, 'Old Kentucky Home' (Mono) and 'Double Danger' (RKO) (dual), around par $1,800.

**United Artists** (Parker) (1,000; 30-75)—'Test Pilot' (M-G) (single). Big $8,000. Last week, 'Golden West' (M-G) (4th week), okay $3,500; first three weeks grossed a total $20,000.

# 'Pilot' Rides High in L. A. for Sock $37,500, 2 Spots; Par, 11G on 'College Swing' Dual Policy, Sans Vaude

Los Angeles.

With a pair of holdovers in four o the initial runs, and Paramount going to a straight sound, dual featur policy after years of stage nits, Loew's State and Grauman's Chinese have the field pretty much to themselves with Metro's 'Test Pilot.' Thriller is piling up a combined $37,500, iggest takes for the day-daters in many months, and holds.

'Marco Polo' continues to hold firm at the WB Downtown and Hollywood, while 'Joy of Living' is doing okay on second stanza at Pantages and RKO. 'Snow White' wound up 18 profitable weeks at Carthay Circle, with house temporarily dark.

**Estimates for This Week**

**Carthay Circle** (Fox) (1,518; 55-$1.10-$1.65)—'Snow White' (RKO) (18th-final week). Two-a-day run ended (24), with very good $5,300 on final stanza of six days; 17th week, neat $7,500. Run of 18 weeks totals $178,080.

**Chinese** (Grauman- ox) (2,024; 30-40-55-75)—'Test Pilot' (MG) and 'Trip to Paris' (20th) dual. Boulevard house hitting on all six, first time in weeks, and will wind up with a sweet $16,000 in the till and holds. Last week, 'Rebecca' (20th) and 'Moto's Gamble' (20th), pretty disappointing at $9,100.

**Downtown** (WB) (1,800; 30-40-55-65)—'Marco Polo' (UA) and 'Daredevil Drivers' (FN) dual (2d week). After smash $14,000 initial week 'Polo' continues fairly strong and will likely turn in another $8,500 on second stanza.

**Four Star** (Fox) (900; 40-55)—'Lady X' (UA) (2d week). Doing considerable of a nosedive after a good start, so will be lucky to hit $1,500 on five days. First week failed to come up to expectations, finishing at around $2,300.

**Hollywood** (W ) (2,756; 30-40-55-65)—'Marco Polo' (UA) and 'Daredevil Drivers' (FN) dual (2d week). Second stanza holding for probable $8,700. First week ended with very big $15,000.

**Orpheum** (Bdwy) (2,280; 25-30-35-40)—'Old Barn Dance' (Rep) and 'Dangerous to Know' (Par) dual and vaudeville. Blackstone, magician, with his own unit on stage, must get credit for bulk of draw, although Gene Autry's initial Broadway first run believed helping for okay $9,000. Last week 'Drummond's Peril' (Par) and 'Got Everything' (RKO) with Bowes unit disappointed with $7,500.

**Pantages** (Pan) (2,812; 30-40-55)—'Joy of Living' (RKO) (2d week) and 'Night Spot' (RKO) dual. Tough opposition holding down second week's take for probable $6,000, compared with smash $12,000 on opening stanza. Previews helping current week.

**Paramount** (Par) (3,595; 30-40-55)—'College Swing' (Par) and 'Maid's Night Out' (RKO) dual. Straight sound, dual feature policy started slowly but satisfactorily. First week of the policy after many years of stage show accompaniment bringing good $11,000. Last week 'Jungle Love' (Par) nine days, with Jimmie Grier band on stage seven days very satisfactory $16,000.

**RKO** (2,872; 30-40-55)—'Joy of Living' (RKO) (2d week) and 'Night Spot' (RKO) dual. Word-of-mouth advertising helping the Irene Dunne-Fairbanks, Jr., comedy, so will garner another $6,000 on second stanza. First week brought excellent $10,000.

**State** (Loew-Fox) (2,414; 30-40-55-75)—'Test Pilot' (MG) and 'Trip to Paris' (20th) dual. With a smash $21,500, it's biggest take for the house outside of holiday in three years. Unusually long show probably cost a few extra grand. Last week 'Rebecca' (20th) and 'Moto's Gamble' (20th) sagged near fi ish and brought $13,000.

**United Artists** (Fox-UA) (2,100; 30-40-55) — 'Rebecca' (20th) and 'Moto's Gamble' (20th) dual. Not so forte on move-over, with best in sight slim $2,500 on eight days. Last week, revival of 'Viva Villa' (MG) and 'Waikiki Wedding' (Par), pretty brutal under $800.

**Wilshire** (Fox) (2,296; 30-40-55-65) — 'Rebecca' (20th) and 'Moto's Gamble' (20th) dual. Will hit likely $2,700 on eight days on move-over, not very hot, but still profitable. Last week, move-over of 'Battle of Broadway' (20th) and 'Settlement' (20th), [illegible] new low at $1,800.

## WB Grooms Payne

Hollywood, April 26.

After catching the rushes of John Payne in 'Garden of the Moon,' Hal Wallis, [illegible] exec, spotted him for the lead in 'Wings [illegible] the Navy.'

# Nazi Agitation, Anti-Jewish Laws Worry Hungarian Show Biz, Press; Propose 20% Racial Ratio in Arts

By E. P. JACOBI

Budapest, April 16.

'Jew laws,' looming on Hungary's horizon since the Nazi annexation of Austria, were sprung upon the public last week by Prime Minister Daranyi. They concern the percentage of Jews permitted to be employed in 'intellectual' positions, as distinguished from physical labor. Bill, which is to be voted on by Parliament within three months, is officially termed as 'securing the adequate balance of social and economical life.'

Second paragraph rules that a press chamber and a theatrical chamber must be established. All publishers, editors and collaborators of newspapers, magazines and periodicals must be members of the press chamber. Only 20% of all members may be Jews. Also ruled that only 20% of all persons employed by any press undertaking may be Jews, and 20% of all salaries or payments coming under any heading whatsoever may be paid to Jews employed by such undertakings. Periodicals devoted specially to Jewish religious or community interests do not come under the heading of the law.

All directors, stage managers, ecutives, rformers, extras and assistant personnel employed by any theatrical or motion picture undertaking must be members of the Theatrical Chamber. New 20% rule is to be applied in the same way as in the case of the press. Theatres catering exclusively for a Jewish public are not touched by the law.

**Converts, War Vets Excepted**

Persons converted to a Christian religion before the date of August 1, 1919, or their offspring are not considered Jews and are not counted within the 20% quota. World War veterans (front fighters or war invalids) and their offspring may also be employed regardless of the 20% quota. Proportion ruled by the law must be reached by Dec. 31, 1939. [Since these proposals there have been vigorous protestations at this limitation of citizenship rights to non-Aryans.]

Bill is less rigorous than could have been expected under the prevailing circumstances. Hardly any readjustment will be necessary at any of the Budapest theatrical or motion picture companies. Business end of pictures (distributors, exhibitors) and a numbe of newspapers are more gravely concerned. There are no restrictions as to playwrights, scenarists, authors of books, composers, etc.

Execution of the 20% quota law, to be carried through in every other profession, is extended over five, if necessary even over 10 years. Only in the case of the press and the theatrical chamber has the date of execution been fixed for the last day of 1939, evidently because no difficulty is expected filling jobs vacated by Jews.

Expected upheaval is caused more by the moral impression of a Jew law, contrary to Hungary's traditions, and by the economical effect it will have on othe fields, as well as that of the simultaneously announced heavy property levy tax, than by the actual change brought about in the press, theatres and pictures.

**'Five-Year Plan'**

Even before Hilterism penetrated Austria, Prime Minister Daranyi made a splash by announcing a 'five-year plan' involving the payment of 1,000,000,000 pengaes ($199,000,000), mainly in property tax, to be used for armaments, public works and social improvements. Details have not been made public, but it has been made clear that taxation will weigh less heavily on the agricultural population and more on city trade and property, where Jewish capital is represented in a far larger proportion.

Nazi proximity has encouraged Hungarian national-socialists to increased activity. This for the present mainly consists of copious abuse, not only of the Jews but also of the government, in pamphlets, speeches and papers. However, people have seen so much of methods of Ger an organization that they naturally suspected powerful outside support of local Nazi aspiraions.

Add to this that Vienna is closer to Budapest than to Berlin and that in consequence atrocities committed during the first days of Anschluss against Jews, Fatherland front adherents, monarchists and socialists loom larger than did the episodes of the German adjustment.

**Financial Uncer inty**

This had a disturbing effect on Budapest's show business, which to a large extent is financed by Jewish capital. Except for the state-subsidized nd government-controlled Opera House, National Theatre and Kamara Theatre, Budapest's seven other important stages are in the hands of non-Aryan producers. So are sundry small legits, de luxe niteries and cabarets, cafes, etc., wher s cheaper suburban shows, provincial companies, hotel and restaurant trade are almost exclusively in Aryan hands.

As concerns talent employed, there are hardly any Jewish actors i the state theatres and about 25% in the others. There are no Yiddish theatres. As for playwrights, a large percentage are non-Aryan, particularly among those who have made a name for themselves on the international market. Agencies are in Jewish hands. As for the film trade, production is government-aided inasmuch as studios are directly or indirectly under government control. But private capital concerned comes for the most part from non-Aryan distributors' firms. Budapest's most important picture theatres are in the same hands.

Talent employed, except for a few popular actors of Jewish extraction, is largely Aryan and the tendency to make all-Aryan films has been growing during the past year, partly by reason of anti-Semitic propaganda that chiefly influences the provincial audiences and partly with a view to German exports. Among the directors, Jews are prominent, both in numbers and in importance. This also has been a source of objection to the anti-Semitic student leagues which so far have been the leaders of the Aryan film campaign.

**Audiences Mostly Jewish**

More important than this is the large proportion of non-Aryans among audiences. About 20% of Budapest's inhabitants are Semitic (less than 5% of the country's entire population), but they are represented among theatregoers in a far greater proportion. Loss of Jewish patronage would be catastrophic for the entire show business.

Naturally Nazi panic, keenly felt in all business, reacted most strongly upon the entertainment trade. As a side issue, it was feared that tourist trade, of increasing importance to Hungary, will suffer if politics swerve dangerously towards Nazism.

**Horthy's Pep Talk**

To dispel panic rumors, Admiral Horthy, regent and head of the state, broadcast a message to the nation and it was received with great relief.

(Continued on page 61)

## STUART DOYLE MAPS RETURN TO PIC BIZ

Sydney, April 9.

Stuart F. Doyle is planning to enter the picture business again here on an active scale. Reported that he has a deal on with Cinesound and National studios to produce 'Possum Paddock,' from the comedy stage hit of several seasons ago. Sending a rep to South Africa this week.

Doyle also is seeking likely sites for theatres in Sydney, Melbourne, Adelaide and Brisbane. He is going ahead with plans for bringing a 'Ziegfeld Follies' unit to Australia.

## New Mex Tax Wrinkle

Mexico City, April 26.

Theatres, cinemas and other amusement places here are faced with a weird tax being readied by the municipal government. Levy is a nick on special seats and other guest comfort apparatus. How much the impost is to be is n yet decided, but it is said that it will be between 3% and 5% of the furniture value and applies whether furniture is owned outright or rented by the amusement centers.

## Lawrence of Arabia Pix?

Cairo, April 16.

Nour i has caused quite a stir here by announcing that she has in her possession a film of the genuine Lawrence of Arabia. She is trying to interest Hollywood. Gal says she made the pic without the knowledge of Lawrence.

ing to lle, Dahabi, the job was fraught with She has 3,500 feet of pieced together, showing Lawrence 'in all of his attitudes.' Arab kings who were practically crowned by Lawrence also were photoed.

Pic purports to show British secret service people, Feisal, Emir Abdullah, Allenby and other British notables also play par

A 'Lawrence of Arabi ' is being mulled by 20th-Fox.

## 'MASQUE KINGS,' 'CLOUDS' O.K., LONDON

London, April 26.

'April Clouds,' new play about adolescent loves by Peggy Barwell and Miles Malleson, opened at the Royalty theatre Wednesday (20) to a cordial audience. Play is spasmodically interesting, but is a doubtful prospect for success.

'As Husbands Go,' Rachel Crothers' play, at the Garrick, is an amusing though unoriginal comedy, and is unworthy of its stars, Jeanne Decasalis and Hugh Wakefield.

'Elizabeth la Femme sans omme,' Yvette Pienne's English version of the French play, was transferred Wednesday (20) from the Gate theatre to the Haymarket theatre, where it is repeating its private run success. Preemed at the Gate theatre ( rivate club) because of censor ban.

'Masque of Kings,' axwell Anderson's drama of royal Austrian romance, seen first in the U. S. last year, bowed at the Gate theatre Wednesday (20). Introduction was splendidly received and the play is generally regarded as a masterpiece.

'Merchant of Venice,' with John Gielgud in the lead, preemed at the Queens theatre Thursday 21). Actor was severely criticized by the press for not interpreting Shylock in the traditional manner.

'Dodsworth,' another Yank importation, closed Saturday (23) after seven weeks. Ditto 'Ghost for Sale' after a fortnight.

'Countess Maritza,' due at the Palace April 26, was postponed for a fortnight after the Birmingham break-in. Understood cast changes are probable.

## MAXWELL-OSTRER SUIT POSTPONED TO JULY 4

London, April 26.

Suit of Associated British, John Maxwell company, against the Ostrers, skedded for hearing today (Tuesday), w postponed until July 4.

Sir Patrick Hastings, counsel for the defendants, said there was a very bitter feeling between the litigants and that the action was of the gravest nature since it charges the defendants with a most serious fraud.

## Col.'s Foreign Shifts

Columbia realigned its foreign sales forces in South America and Panama last week with formal announcement of C. C. Margon's resignation as supervisor for Argentine, Brazil and Chile. His post has been taken by Louis Goldstein, formerly manager for Columbia in Brazil. A. M. Noye moves over from his job in Panama to the spot vacated by Goldstei in Brazil. H. Prosdocimi, assistant to Noye, becomes manager of Cristobal (Panama) office.

Max renrcich remains in charge of Columbia's Peru office under supervision of New York. Margon, who had been previously reported on his way to U. S., arrived in N. Y. last week for home office huddles.

# Exhib-Distrib Powwows Blow Up; Rentals, Grading Among Issues

London, April 20.

Exhibs and distribs have again come to a complete standstill in their efforts to settle the question of grading pictures. Negotiations have been broken off and the Cinematograph Exhibitors' ssn. is accusing the Kinematograph Renters' Society of plotting to increase the cost of pi ture hire. Also recommends that its members do no business with companies accepting the K.R.S. ruling and claims that organization seeks to check the double super feature programs.

Accordin to the C.E.A., the distribs themselves are split on the policy, a majority of British members resisting the grading plan, declarin they will neither grade their pi tures themselves nor will they permit K.R.S. to do so for them. In this camp are John Maxwell, C. M. Woolf and other British units, and it is also claimed 20th-Fox is against it. Sidney R. Kent, 20th prez, is said to view film grading as ini ical to public interest.

Into Maxwell's mouth, too, C.E.A. puts the downright declaration that his companies (Associated Britis and Pathe) have no use for co-operatives desirous of interfering in the relations between seller and customer.

If, argue exhib , . was really concerned with putting down the playing of two ' ' features on one bill, it would have been content to accept the C.E.A. propositi of a clearing house to which all hiring contracts should be submitted for approval; and which would automatically rule out those which provided for booking a second 'A' feature to support one already contracted. Distribs, however, hold to their policy of demanding 'A' pictures be booked n percentage only, which they declare will be a mor practical check than the clearing house plan.

There appears to be some confirmation of the C.E.A. charges in the recent annual report of K.R.S. which freely admitted a policy of endeavoring to squeeze more out of the box office as the only rational means of drawing back a greater share of the total gross to the pr duction end. C.E.A. has obviously amalgamated this with the percentage demand to prove distribs are interested only in higher rentals.

## Hicks on Quota Pics

Initial announcement ritish quota picture producing by Paramount is expected to emanate from London next week after John W. Hicks, Jr., company's foreign sales chief, arrives in England, May 2.

## Aussie Exhibs Aroused Over Double-Billing; Shorts Flood Market

Sydney, April 9.

Number of city spots playing duals on extended runs has aroused some Australian exhibitors over the double-billing issue. It is a moot question whether a swing to single features could be made successfully, but several exhibs claim it would meet with success because the public is fed up on poor program duals. Admittedly, theatres are giving their patrons too much show and it is hurting all down the line.

Distri utors are said to have vaults filled with shorts awaiting release. Condition is so bad that 20th-Fox is understood to be setting number of short features in ighborhood houses for first release because failing to obtain quick city bookings. Duals in extended engagements leave few opportunities for shorts to crash the programs.

Sydney has only one regular weekly program changer, the Capitol. It plays double features, but begins grinding 30 minutes earlier than rival houses and can use a few shorts weekly. One newsreel theatre, with 80 minutes running time, doesn't offer much relief because most of the show used consists of news weeklies.

Only chance is with nabes where shows start at 7:30, leaving space for short features.

## Would Limit Pic Shows As Aid to Legit Actors

exico City, April 26.

Four-hour daily operation for all cinemas in Mexico as a means of assuring stage players steady work by forcing the public to attend flesh shows has been asked of President Lazaro Cardenas by the National Actors Assn. Argument is that compelling pic houses to operate only from 2 to 6 p.m. daily will help the theatre to come back and provide 90% of Mexican stage players with regular pay envelopes. Association asserts that the cinema has so dominated the theatre that starvation faces large numbers of thespians, all of whom are not adapted to film work.

Actors assert that their plan has proved successful in the Argentine, where the government threw thespians a life belt in the fo of limiting cinema shows At present Mexican film houses run from about 4 to a little after 11 p.m. Most of them give a two to three-hour show Sunday mornings.

## Current London Plays

(With Dates hen Opened)

'Whiteoaks'—April 14.
'French Without Tears'—Nov. 6.
'George and Margaret'—Feb. 25.
'Black Limelight'—April 22.
'Housemaster'—June 29.
'St. Moritz'—July 31.
'London Rhapsody'—Sept. 1.
'Going Greek'—Sept. 16.
'Hide and Seek'—Oct. 14.
'Robert's Wife'—Nov. 23.
'I Killed the Count'—Dec. 10.
'Me and My Girls'—Dec. 16.
'Nine Sharp'—Jan. 26.
'The Three isters'—Jan. 28.
'The Island'—Feb. 10.
'Road to Gandahar'—March 24.
'Death on the Table'—March 9.
'Plan for a Hostess'—March 10.
'Operette'—March 16.
'Toss of a Coin'—March 17.
'Idiot's Delight'—March 22.
'Floodtide'—March 23.
'Zeal of Thy House'—Marc
'Power and Glory'—April 8.
'Wild Oats'—April 13.
'Good and Proper,'—April 18.
'April Clouds'—April 20.
'As Husbands Go'—April 20.
'Elizabeth, sans Homme' April
'Masque of Kings'—April 20.
' erchant of Venice'—April 21.

## BERGNER EYES SHAW 'ST. JOAN'

London, April 20.

Elisabeth Bergner's next film may be Bernard Shaw's 'Saint Joan.' Negotiations are going on for the actress' director-husband, Paul Czinner, to do the pic. If the deal goes through, however, the opus will be made at the Pinewood studios. Maid of Orleans has been the subject of other films, but Shaw's version of the story has never been screened.

Whether or not the Bergner-Shaw deal jells, the Pinewood studios will be a hub of activity in the next few months. Most important booking i 20th Century-Fox, moving over fro Denham to start the second Gracie Fields pic in the next month. Then Jack Buchanan resumes picture making soon after his return from America, with the first likely to be one starring himself and Maurice Chevalier.

With the Gaumont-British connection with Charles Woolf, GB will make a couple there within the next few months. Paramount, on the point of changing studios, has decided to stay n. Charles Woolf starts 'Yeoman of the Guard,' the first of D'Oyly-Carte operettas to be directed by Victor Schertzinger, down for production some time in June. Pinebrook Productions, the company promoted by Captain Norton, to make films on a co-operativ basis, will do two.

There are only si wood.

## London Amus. Taxes As Is

London, April 26.

Annual tax budget will be nounced late tonight (Tuesday).

Unlikely that there will be any changes in amusement taxes.

# BRITISH PIC BIZ JITTERY

## H'wood to Observe Spirit of Quota; Trade Treaty Discussions Go On

London, April 26.

Representatives of American distribution companies this week indicated that U. S. producers would live up to the spirit and not merely the letter of the new Great Britain quota law. Just how far they will be able to go will depend on how much the producing heads feel can be safely budgeted on more expensive films to be turned out on English soil.

For the largest major companies this probably will mean two upper-bracket features, costing $700,000 to $900,000 each. One or two of these, made to cash in on the three-for-one credit clause, may top $1,000,000, but it is doubtful if that will be intentional.

Probably half or more of the eight or six quota credit films needed by big majors will be obtained for $75,000 or thereabouts, making them the equivalent of the less costly westerns turned out in Hollywood.

While they are laying out such plans requiring hefty expenditures for doing business in England, most American companies will keep a weather eye on progress made towards perfecting an Anglo-American trade pact. If the U. S. film business fares as expected under the terms of this treaty, the trade pact provisos will supersede any quota law.

Earnest discussions of the American-English trade treaty have been in progress only a couple of months. It may require four or five months more to complete them. Indirect endorsement recently given the Italy-England pact by President Roosevelt is taken to mean that an Anglo-American treaty will be whipped into shape to meet the ruling party approval here.

Under such a treaty enabling . S. companies to duck the quota, a considerable burden would be lifted from the shoulders of American interests. There continues to be some doubt in the minds of American officials as to how successful British-made films or productions turned out on English soil will be at the U. S. boxoffice. They point to several high calibre features made by majors under their own units in England that have failed to click in America.

## SEEK TO COMPROMISE COMMAND SHOW SCRAP

London, April 20.

British exhibitors may be able to effect a compromise on the question of broadcasting the annual Royal Command Variety show from the stage of the Palladium theatre. Showmen have strenuously opposed the broadcast since last year, when they claimed it knocked their day's receipts into the ashcan.

Officers of the Cinematograph Exhibitors' Assn. went into a huddle with George Black, controlling the West End's key vaude spot. Urged consideration of the following plan:

Performance to be held in the future at matinee hours, instead of at night, and exhibs to be given special permits by the British Broadcasting Co. to reproduce the entire broadcast in their theatres. Exhibs are prepared to pay a fee for such facility. It is argued that will more than recoup the Variety Artistes' Benevolent Fund, for which the performance is sponsored, for any loss of receipts by switching the show to the afternoon.

Black is not committed to acceptance of such proposals, which must also receive consideration of B. B. C. and of V. A. B. F. organizers. Wishes of King George must also be determined, as the show's big appeal is vested largely in the personal attendance of the royal family.

### Capt. Auten to Aussie

Captain Harold Auten, American representative of Greater Union Theatres, one of the larger circuits operating in Australia, is headed for Sydney and the home offices of the company.

### Fischer Sets U. S. Gals Into His Paris Spot

Paris, April 19.

Via a quick move, Clifford C. Fischer this week saved himself transportation expenses on a line of American girls who were set to vacation in Paris.

Fischer contacted the Music Corp. of America for girls to go into the Les Ambassadeurs, Paris, for eight weeks. Troupe is currently in Cannes, where it clos They were set to idle before opening of Deauville six weeks hence, but Fischer grabbed them up and had the Deauville date extended two weeks.

## PARIS LEGIT'S HOLIDAY SPURT

Paris, April 18.

Numerous new productions and revivals have been brought to the Paris stage with the coming of spring and the usual influx of tourists during the Easter holidays. Getting the jump on the rest was Paul Vialar's whimsical 'Probadjong,' at the Paris Theatre des Arts. Play was directed by Andre Moreau, with a cast including M. Guisol, Andree Servilanges, Laure Diana, Andre Moreau and Henry Monteaux.

Empire is reviving 'La Dame de Vittel,' comedy by Roger Ferdinand and Georges Dalley, which opened at the Palais Royal in 1934. At the Theatre de la Madeleine a new play by Julien Luchaire, 'Une Femme et un Roi,' opened, starring Gaby Morlay and Henri Rollan. Luchaire, author of 'Altitude 3,200,' one of last year's successes now being filmed, has more or less modernized Racine's tragedy of Berenice and Titus.

'Quatre Saisons' company, which recently toured in the U. ., has opened at the Mathurins-Pitoeff with 'Le Roi Cerf' and a one-act comedy, 'Les Quatre Sous de M. Montaudoin,' by Labiche. At the Vieux-Colombier 'Septembre,' new comedy by Constance Coline, who recently adapted a Keith Winter play, is being presented.

'Dame Nature,' by Andre Birabeau, which has been running intermittently here for some time, has returned to the Theatre Daunou after previous runs at the O'Euvre and the Etoile. State theatre Odeon is producing an historical piece by Saint-Georges de Bouhelier, 'Le Roi Soleil,' and at the Renaissance there is a new comedy by Pierre Scize, 'Dormez-vous?'

## GOV'T SHOULD PAY LOSS ON 'MUST' PIX: FULLER

Sydney, April 9.

Sir Ben Fuller, always a booster for Australian goods, can't figure out why any exhibitor should be told what he must and must not screen. He made this comment in sizing up the quota situation. Showman figures that if the government forces an exhib to screen a local picture on which the exhibitor loses money, the government should compensate for the loss. If, however, a profit is made on a local showing, then a percentage should be paid into a fund to provide for any loss which the exhib may suffer on future such bookings.

Fuller said that local producers never could hope to make pictures in competition with Hollywood because the same facilities do not exist here. He intimated that the government should allow showmen to play the entertainment the public is willing to pay for and should drop any dictatorial policy.

## AFRAID MAJOR SLUMP IMPENDS

### Exhib-Distrib Rental Scrap Only Surface Matter—Fear Whole Industry May Be in Doghouse—Attend-Diminishing, Ace Films Don't Draw—Radio, Sports, Pools Opposish Hurts

### RECOVERY

London, April 26.

Unprecedented case of jitters is gripping the picture business here. Surface cause seems to be current exhib-distrib battle over rentals. But deeper down is a lurking fear that this is only a side issue in a situation that may at any time strike at the whole industry.

It begins to look as if the bickering and back-biting is not so much due to the film rental dispute as to a slowly growing fear that the whole film setup in England is in for a major slump. Feeling is that such a development may come almost without warning.

Film attendance has been steadily diminishing. Ace product has been drawing grosses far below the usual average for mere program bookings. Conviction appears to be that the public is turning more and more from theatre attendance to competitive forms of entertainment, such as radio, sports and football pools.

**Many Troubles**

rotracted spell of mild weather at what is usually the exhibitor's golden period of the year, and swiftly developing labor troubles have further exposed the skeleton in the closet. Appears to indicate that, unless something unforeseen occurs, the picture business in Great Britain is set for the biggest slump it has ever known.

Feeling is growing that the public is growing tired of pictures as entertainment. According to this view, the screen has turned sour to the spectator's taste and, after 10 years of talkers, it may need a revolution as drastic as was the arrival of sound to hypo moviegoers into fresh vigor in their approach to motion pictures for entertainment.

That both exhibs and distribs are fully conscious of the threat is exposed in their respective attitudes to the present dispute on hiring terms, which observers are prone to mistake for the cause and not the effect of the situation. Distribs, in the face of pressure from home offices as their grosses flop, have declared for moves to raise the percentage rates as their method of solving the problem. Exhibs, on the other hand, declare this is a suicidally shortsighted policy. They say that both sides must throw their efforts into joint action against the public apathy and not against each other.

There is nothing they can do on their own hook, the exhibs aver, that will alter the lack of enthusiasm among their patrons. For the distribs to attempt passing the buck by compelling theatres to part up with a bigger percentage of the diminished takings is not only selfish, but also calculated to hasten the inevitable catastrophe.

**Reply to Hays**

Coming back at Will Hays, who recently spoke of the untapped U. S. market in his report to the Motion Picture Producers and Distributors of America, British exhibs contend America would be sitting pretty if that were all she had to worry about. On this-side, they say, it is not the untapped market, but the existing market, wasting away visibly, that is causing the headaches.

Even at the most optimistic, imon Rowson, producing from his statistical magic hat figures to compare with those quoted by Hays, adduces an aggregate of 21,000,000 persons

(Continued on page 62)

### Mex Gov't Propaganda Gives Jobs to Actors

Mexico City,

Vaude, revue and some legit players are getting a nice break with the employment of theatres on wheels by the government's newest organization (Committee for National Ecopomic Recuperation) that has charge of lining up the public to back the government's oil program. Players are receiving union rates. Shows include acts of music, songs and dances in between spiels by government orators. Admittance is free.

Theatres on wheels are limited to this city for the present, but road tours are being arranged for them.

## JAP COIN BAN STILL IN AIR

Tokyo,

Committee for the American -tion Picture Assn. now is directly negoti ith the finance office of the government in an effort to get the coin ban lifted. Representatives of American distributing companies want to obtain release of film rental money, tied up in Japan for months, so that it can be transmitted to home offices in New York.

Though details are not available at present, it is understood still to be based on a note arrangement which would bring about a partial ban lifting through permitting withdrawal of certain amounts from time to ti

A. M. P. A. committee is reported to have swerved from proposals by Jisaji Kubo, Japanese attorney, and is dealing directly with the government.

New proposal by Jisaji Kubo for lifting the ban on money from American film rentals, held in Japan, late last week was transmitted to the industry in New York. Was reported to differ little from previous propositions, and the move to get rental money into this country was described as still hanging fire.

Industry observers advanced the opinion that it might become increasingly difficult to get money out of Japan if the present Sino-Japanese conflict continues.

Foreign department reps huddled Monday (25) on new Kubo plan, but nothing tangible was announced as resulting.

## BRITISH EXHIBS ASSN. APPROVES NEW QUOTA

London, April 19.

Cinematograph Exhibitors' Assn's latest word on the new Films Act is to declare it a workable and satisfactory measure. Great safeguard of the legislation, states a committee report accepted by C.E.A. general council, is its elasticity, coupled with introduction of the Films Council.

Accepting the increased quota schedules for shorts, the report indicates that exhibs can, if driven, eliminate one and two-reelers from their programs. Alternatively, the quota can now be met by the use of interest and magazine material which becomes registrable under the new Act.

### BIP After Jory

Hollywood, April 26.

British International is dickering with Victor Jory for two pictures to be made in London.

Jory is currently directing the annual Ramona pageant at Hemet, Calif.

## Race Issue Injected Into London Projectionist Union-Exhib Scrap

London, April 18.

Elements of race prejudice have been injected by political groups into the labor trouble which broke out during the Easter holiday. When projectionists came into the dispute with exhibitors on the question of hours and pay, the Electrical Trades Union received an offer from the British Union of Fascists. Latter declared itself behind the employees and stated its readiness to assist in any way in fighting the 'Jewish bosses.'

B. U. F. at this time has no great strength, but its effort to cloud a clear labor issue with the murk of anti-Semitism was seen as a dangerous move. Jewish interest in the industry is naturally exaggerated for propaganda purposes. Actually, among exhibitors, members of th faith are in a very small inority.

E. T. U. has its own principles, which prevent any fusion with political forces and this attempt by fascists to make capital out of a matter which is not their business is thought unlikely to cause any great harm.

For the strike itself, E. T. U. pulled a boner by overreaching its powers. As a labor organization it is not sufficiently strong in numbers to force an issue from the mobilized Cinematograph Exhibitors' Assn. members. Latter kept their theatres open almost without exception in the face of withdrawal of several hundred projectionists.

Union claimed to have pulled out 1,200 men in London alone, but less than half this number appear to have stopped. At most, probably not more than 25% of the projectionists in the metropolitan area are members of E. T. U.

Trouble also involved Manchester and Hull, among key centers in the sticks. But in spite of much stronger percentage in these territories, the union failed to force any theatres to suspend operation. From labor viewpoint, E. T. U. played its hand badly by trying to fight without sufficient armament. Mai effect is likely to be a heavy switchover of membership to rival union, the National Assn. of Theatre and Kinema Employees.

One weakness of the stoppage was that fundmentally this was not a contest between capital and labor, but a struggle for supremacy by competing unions. C. E. A. has officilly recognized N. A. T. & K. E. as the negotiating body for employees.

In London, where a joint conciliation board has operated nearly three years, the exhibs were prepared to meet the men, but only through the board. When a territorial agreement was made, E. T. U. sat in at the discussions, but withdrew when it came to ratifying the prepared schedules.

Had that union accepted the terms in a spirit of compromise and bided its time till it had gathered strength it must eventually have succeeded. But the labor leaders appear to have balled up their own cause.

## PLAN GOV'T BODY TO HYPO FRENCH SHOWS

Paris, April 19.

Formation of an administrative organization to further the production of opera, plays and vaude bills in municipal theatres throughout France has been okayed by the Chamber of Deputies. Bill calling for formation of such a group was the work of Gaston Gerard.

New body is to be composed of the directors of the Comedie-Francaise, the Odeon, the Gaite-Lyrique, three other Paris showmen, directors of provincial houses and managers of road shows. Gerard is of the opinion that if road shows an touring companies are organized i the correct manner subsidies woul not be necessary and that the number of good shows in provincial France would increase.

# Every Kid in H'wood Now Imitates Charlie McCarthy, Lefty Discovers

### By Joe Laurie, Jr.

Coolacres, Cal., April 26.

Dear Joe:

At last we are back home again, and although we had a swell visit in Hollywood, it sure feels good to get back home to our own beds and bad receipts. The McNultys who used to do a juggling act with us on the Sun Time, gave us a sort of going-away party before we left Hollywood; just one of them house parties and it was swell. McNulty gets a crack at a picture once in awhile, but he makes a little income driving tourists around and showing them the homes of the stars. The racket has a gimmick to it; he gives 'em a good line of gab and points out any good looking place and names some big star who is supposed to live there. If he's wrong you can sue him. It's not a big dough-getter but it pays expenses, and people out here figger that making expenses is a profit. They got a kid who is about seven and they had him give us an imitation of Charlie McCarthy. It's getting so you can't visit anyone that's got a kid nowadays that they don't have 'em do a McCarthy imitation. Years ago if a performer's kid would give an imitation of a dummy you'd think he was nuts. In those days, as soon as you took off their safety pins, they'd go into an imitation of George M. Cohen, Dave Warfield, Eddie Foy or Ethel Barrymore. Maybe it's a good thing vaudeville is on a vacation.

A lot of the boys and girls in Hollywood are packing up their toys and starting back east. It seems that their options were too heavy for the producers to pick up, so they just let 'em lay. Of course a lot of 'em are gonna still stick around figuring they will catch the gold ring and get another ride. Can't blame them much at that; at least they can get sunshine out here, and as you know there's very little sunshine creeping in through them New York rooming houses. And now that they put up a fence in the middle of Times Square, a fellow can't even cross the street to get away from someone he owes money to.

Our trip back here was nice. I let Aggie drive part of the way—you know she just learned and she's getting so now that the road turns when she does. I didn't let her drive fast because I told her I didn't want to take unfair advantage of my insurance company. We met Harry McNaughton on the road. You know, he's the Bottle on Phil Baker's program and he told us a swell story about an Indie Company out in Hollywood that makes features in five days. The salesman was showing one to an exhibitor and for the first 15 minutes all it showed was an interior set without any actors and when the exhib asked the salesman what was the idea, he said, 'We got a new rule on our lot. We start shooting at 8 a.m. sharp, even if the actors are not there. Being exhibitors, ourselves we thought it was a funny gag. The only time you ever see an exhibitor laugh is when you tell him a gag on the dumbness of the producers and the exchange guys.

Vic did a pretty good job while we were away. All an exhibitor can do is to open his theatre and run the pictures they send him. If he gets good ones he can do business, and if he gets baddies he just takes it on the chin and shows the scars to his creditors. They sent me a foreign hunk of celluloid. It was made in France and as far as I'm concerned it just added to the debt they owe us. It's a good thing we ran it on dish night. One customer came out and sed I should have given the picture away and shown the dishes. Vic's popularity contest is going swell and we'll announce the winner next week. We got a big sealed box in the lobby and they throw their votes in it. And it's really sealed, because Vic made a mistake and happened to put an old lock on it that we lost the key to, and as we gotta open it in front of a committee it looks like Vic's wife, Florence, won't win it.

Been reading about the trouble Jackie Coogan is having trying to get the dough he made. Me and Aggie decided to have Junior go to school and live like a regular kid, and in the meantime if we're lucky we'll stick a little dough away for him and when he grows up he will have bank savings instead of bank 'slavings.'

That's about all the ink that's in my pen, so I'll blot it with best to you and the boys back of third base, Sez

Your Pal, *Lefty.*

P. S.—Bill Frawley sez, 'We wear diamonds to make people who can afford them jealous.'

# EXHIBS AND 40c HR. PROPOSAL

Washington, April 26.

Even the ushers will benefit if the New Deal wins out in the newest attempt to improve the working conditions of people paid by the hour. Congress has another fair labor practices bill on the stove, but whether it will be burned up or merely cooked to a turn is conjectural.

A 40-hour week and a 40c-per-hour pay scale would be the eventual standard under the legislation, which still has several hurdles to clear. Despite President Roosevelt's renewed appeal for a law helping the hired hands, Congress is balky. Odds are about even at the moment.

Under the bill, all branches of the film business unquestionably would be affected, but as far as practical consequences are concerned probably only exhibitors would be bothered very much. Requirements would hit only a minority of the persons working in Hollywood and the exchanges.

With no distinctions between geographical areas or lines of trade, the bill requires all employers 'in commerce' to pay their help 25c hourly and limit the work-week to 44 hours at the outset. Scale would rise a nickel each year and time would be sliced two hours annually until the ideal—40 hours at 40c, or a minimum of $16 a week—is obtained in four years.

Perhaps lawyers can make something of it, but the bill seems to leave no loophole for exhibs. Says that any industry which (1) is nationwide in scope, (2) depends for existence on purchases or sales or on transportation in commerce, or (3) has a 'close and substantial' relation to commerce must comply. Looks very much as though theatre operators would find Uncle Sam ogling the payroll.

Any violator faces six months in the pen and a $500 fine..

## Mono Jumps Four

Hollywood, April 26.

Monogram is rushing work on four features prior to the opening of its 1938-39 releasing season. W. Ray Johnston, president, is here now conferring with Scott R. Dunlap, in charge of production.

With 'Romance of the Limberlost' under way, 'Mother O' Mine' goes in May with Jackie Cooper starred, to be followed by Boris Karloff's 'Mr. Wong, Detective.' First Frankie Darro feature, 'Wanted by the Police,' hits the cameras early in June.

## Selznick's Stage Find

Hollywood, April 26.

Richard Carlson, signed by David O. Selznick to an actor-writer-director contract, has arrived from Broadway, where he played Ethel Barrymore's grandson in 'Whiteoaks.'

Graduate of Minnesota University, Carlson received his first stage training at the Pasadena Community Playhouse.

## .'S 'GLADIATOR'

Hollywood, April 26.

Edward Sedgwick has been signed by David L. Loew to direct The Gladiator,' starring Joe E. Brown.

Film will roll on the Universal lot May 2, with Edward Gross as associate director.

## Slight Error

Pittsburgh, April 26.

When Gabe Rubin opened 'Green Fields,' a Yiddish talker, at the Art Cinema, he couldn't understand the generous sprinkling of Negro trade in the audience. Finally learned the reason when one sepia patron came out and wanted his money back.

Inquiry revealed that he thought he was going to see 'Green Pastures.'

# STRONG SHOW BIZ CO-OP ON '39 PREVIEW

Three-day preview celebration of New York World's Fair, a year in advance of opening in 1939, gets under way Friday (29) night with the Junior League ball in Business Administration Bldg. on the fair site, Flushing meadows, L. I. Biggest day of preview is Saturday when nearly 6,000 will participate in a motorcade of more than 500 vehicles, from the Battery to the exposition grounds.

Fair preview will go musical in a big way Sunday with a May Day music festival. Big event is the night concert by the N.Y. Philharmonic orchestra in the Business Administration structure, Walter Damrosch conducting. More than 500 singers in chorus for this affair, including soloists from the Metropolitan Opera.

Though railroads are running excursions to fair's preview only on Sunday, committee in charge expects the advance festivities to give an inkling if what attendance may be expected when fair gates swing open next year. At least 50,000 out-of-town visitors are anticipated. Three-day celebration, coming over the week end, is expected to prove a fairly good test of hotel and cafe facilities.

Motorized procession Saturday will be covered by the five newsreels, being first big splurge newsreel camermen have been able to give the N.Y. exposition. Claude Collins, N. Y. Fair's contact with news weekly boys, has made elaborate preparations for coverage and the reels generally are planning to use four to five crews on the day's activities. Loew's, one of picture companies in parade, will bally 'Girl of Golden West.'

New York legitimate theatre's salute to the fair will be presented for half an hour starting at 6:30 p.m. Saturday at the exposition site. Gertrude Lawrence, George M. Cohan, Ed. Wynn, John Golden, Frank Craven, Dudley Digges, Sir Cedric Hardwicke and Benny Goodman are set for this program.

Later in the evening's outdoor program. Gladys Swarthout will sing 'Dawn of a New Day,' one of George Gershwin's last songs to be published posthumously. It's the fair's 'theme song.'

Besides inspection of grounds and buildings, preview Saturday will include high-salaried open air acts and fireworks display at night.

## BUT NO FREAKS

### Plenty of Stock on Desert Location for 'Suez'

Hollywood, April 26.

Looking like a circus, with 25 camels, 30 donkeys and 50 horses, a 20th-Fox troupe invaded the Arizona desert near Yuma to shoot scenes for 'Suez.' Desert sequences, directed by Otto Brower, will take two weeks.

When the expedition returns, Allan Dwan will direct the dramatic action, with Tyrone Power, Loretta Young and Annabella in the lead roles.

## Gladys on the Isle

Hollywood, April 26.

Gladys George stepped into an important role in 'Ellis Island,' to be directed by Alfred Werker at 20th-Fox. Cast includes Don Ameche, Tyrone Power, Alice Faye and Arleen Whelan.

Werker is headed eastward with a camera crew to shoot backgrounds in New York bay.

# The Girls' Eye View

### By Marian Squire

#### Mae West and the Facts of Life

With six tophatted builderuppers as a teaser for the feast, Mae West—bigger and blonder than ever—treats her public to some sex-agenarian gags at Loew's State. Some of the material is about as original as the cause she (theatrically) espouses—but many of the most familiar cracks meet with the lustiest response. Being totally away from the watchful Hays (film) eye, Miss West and her nifties both relax. Not that the lady can be accused of using double entendre material. If the lines themselves don't make the meeting clear, the famous West delivery leaves no doubt about the idea to be conveyed.

Glittering in a molded black gown of solid sequins, monkey fur bolero, high fan headdress with black ostrich rampant, Miss West weaves constantly—imitating a cobra as nearly as her expert corsetiering will permit.

Opening day (21), the platinumed progenitor of the facts of life drew a bigger hand on her entrance than at her exit—probably due to lack of variety in the act's theme. Even the elementary subject on which Miss West specializes can become monotonous when unrelieved by any other angle.

#### 'Condemned Women' Can't Use Makeup

Sally Eilers and Anne Shirley suffer through 'Condemned Women' until the latter is killed and the former winds up with Louis Hayward, and the sun beginning to peep through prison bars.

The unfortunate femme guests of the state wear drab uniforms and practically no makeup, although they are allowed to have facial adornment in their cells—some in jars that would make nice lethal weapons when broken. Miss Eilers presumably scorns lip rouge because she doesn't give a darn, but wears a thick fringe of immy eyelashes.

Film's highlight is the prison riot which finishes off Miss Shirley. To make it more logical, she is taking a rap for someone else, as the sweet faced Miss Shirley could never crash the ladies' jug on her own.

Kind hearted 'Warden' George Irving and hardboiled 'matron,' Esther Dale, battle over the treatment of the detained ladies, and Lee Patrick is the lip-curling causer of most of the trouble.

#### Louise Hovick's Will-Power Wardrobe

The title 'Battle of Broadway' hasn't much connection with the story, and the story hasn't much connection anyway. But with Victor McLaglen and Brian Donlevy conspiring to keep Raymond Walburn out of trouble, film has better than average collection of spontaneous laughs.

Louise Hovick represents most of the trouble, wearing a number of startling outfits as a night club singer. One black patent leather looking gown is form fitting, the bodice ending just at the point of decency and apparently held on by sheer will power. Most becoming dress is a short peasant effect with full lame skirt and wide girdle. Brings out the best points of her figure and disguises lines that don't take kindly to the spotlight.

Young love assignment falls to Robert Kellard and Lynn Bari. Miss Bari wears a low cut white paillette sprinkled gown with short train in the night club, and a trim tailored suit for a legion parade.

Andrew Tombes, as a sanitarium inmate, appears in a white steam cabinet, and Sammy Cohen with Eddie Holden help the 'Legion' take the town apart.

# Inside Stuff—Pictures

Far from giving 'Test Pilot' three rousing cheers, airlines are giving the Metro special the chill. Pouting began after the preview on the Coast and has been growing. Beef seems to be on the ground that the picture harps so on the Lorelei motif of the upper reaches of the sky, and that crack-ups and death are every sky-pilot's future. Air travel lines fear people will become frightened enough to duck planes for ground travel.

Air execs insist that picture doesn't emphasize enough that these hazards are no part of commercial flying, though there happens to be an opening title to that effect. Fliers say that mounting terror washes out the effect of the opening title before the picture is 10 minutes old.

Metro doesn't know what it can do about it, figuring it has a good picture, and isn't in the air biz anyway.

James C. Morton, erroneously death-noticed in VARIETY of April 13, is very much alive and currently working in films on the Coast. Recently completed role in 'City Shadows' for Columbia and next goes into a Charlie Chase short.

He has been residing in Hollywood the past seven years and is not a guest of the Percy Williams home in New York. The obit was intended for James J. Morton and, as printed last week, the error occurred in the annals of the Williams institution.

Slowness of Cecil B. DeMille's recovery after his operation is holding up his trip to Nebraska where he wanted to chin with Union Pacific officials and meet Governor R. L. Cochran. Jack Cunningham, writer, left Omaha this week to return to Hollywood, but Frank Calvin, research man, is still staying on.

Decision of DeMille to make 'Union Pacific' brings a focus on Nebraska as a screen location, since Metro is slated to arrive here around May 15 with a company to shoot 'Boystown,' which J. Walter Ruben will direct.

Loew's State, New York, set another stage door attendance record this week with appearance of Mae West, who closes today (Wednesday). Rubberneckers and signature-snaggers lined West 46th street continuously from morning until last show, and frequently necessitated extra cops, although Miss West always had three on the door, plus her own gumshoe guards and buffer-manager Joe Timony.

With daylight saving in effect this week again, there's little that can be done about it, the Hays office again assuming the attitude that it is a matter for exhibs in individual communities to decide as to ways and means of campaigning against turning forward the clock. Little doubt but that daylight saving affects the theatre income during the summer season because of customers it takes away from the earlier shows.

Big agency chieftains are hanging around the studio lots in person these days to pick up some of the business their contact men have missed. With a surge of new production at the major studios, there is a tense struggle among featured players, freelance and day actors for picture jobs. Contact men are still waging a frontal attack on the casting offices and producers while, the agency biggies stalk the front offices.

Harry Sherman is showing the way to other producers in the matter of letting theatregoers in on the shooting locale of his pictures. Hereafter each Hopalong Cassidy film will carry its location identity, starting with 'Beneath Western Skies,' which is tabbed 'filmed at Lone Pine, Calif.' Studio also figures to save postage as hundreds of requests are received after each picture's release asking where such beautiful scenery abounds.

# Towering above all, the industry's first company looks forward to its greatest season, 1938-39

Twentieth Century-Fox Film Corporation, because of the high quality of its product and by virtue of its fair dealing with exhibitors, has become the company that exhibitors throughout the world look to as their first source of profit.

We are about to begin a new season. General business conditions are unsettled. In view of this, we could, with justice, trim our sails or even lower the negative investment in our coming pictures.

Instead, we have chosen the other road. To protect our customers in the season 1938-39, we have planned the most ambitious program in the history of this company. We have taken this stand firm in the belief that in these troublous times only the greatest pictures can insure to our customers and ourselves the greatest profit.

These pictures will be made, of course, under the supervision of Mr. Darryl F. Zanuck, vice-president in charge of production. It was no accident that the Academy of Motion Picture Arts and Sciences recently voted to Mr. Zanuck the Irving G. Thalberg Memorial Award for "the most consistent high quality of production achievement." While he has been producing the fine pictures which have carried the trademark of Twentieth Century-Fox to new heights, Mr. Zanuck also has built the finest organization of producers, writers, directors and technicians ever gathered within one studio's walls. All of this is insurance for quality.

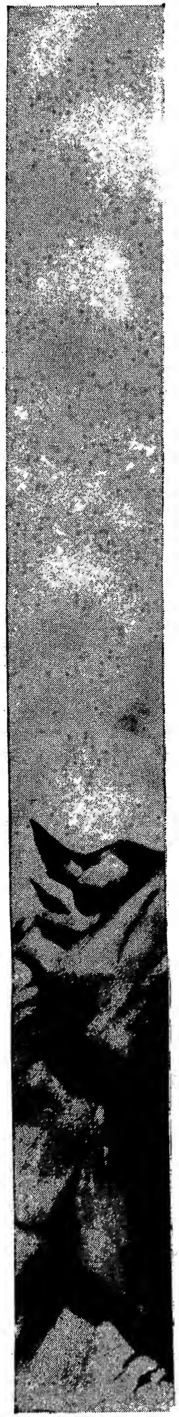
On the following pages we list the pictures which we plan to release next season. Every one of these pictures is scheduled to surpass all previous Twentieth Century-Fox standards; but I wish particularly to call your attention to the large number of virile, dramatic subjects based on important themes.

In listing these pictures, we have purposely refrained from naming the casts. Our accounts know from experience that this company gives to its productions the best acting and the strongest box-office names available in the industry. Therefore, we prefer not to tie the hands of our studio by listing the casts months in advance of production but, on the other hand, to allow our producers every opportunity for putting into each picture the strongest box-office names that can be obtained at the moment of production.

We feel that leadership of an industry brings with it definite responsibility. This responsibility can best be discharged to our customers by offering to them the best line-up of pictures it is within our power to make.

SRKent

*President, 20th Century-Fox Fil*



# HERE ARE THE PICTURES

### Irving Berlin's

## ALEXANDER'S RAGTIME BAND

An American Cavalcade. 20th's first spectacular hit of the new season. A deeply stirring story sweeping through 25 exciting years ... with three new Irving Berlin songs—probably the greatest he ever wrote—and some of his ever-remembered hits of the past. Because the picture already is in the cutting room, we give you the cast: TYRONE POWER, ALICE FAYE, DON AMECHE, Ethel Merman, Jack Haley, Jean Hersholt, Wally Vernon, Helen Westley, John Carradine, Douglas Fowley, Paul Hurst, Eddie Collins, Ruth Terry, Chick Chandler—and thousands of others. Directed by Henry King ... directorial genius of "In Old Chicago."

## SUEZ

The most elaborate, expensive and important picture 20th has ever made—*with no exceptions.* The amazing story of de Lesseps—great lover, great statesman, great engineer – and his struggle to build the Suez Canal, thrilling theme of current headlines. A struggle that pitted the might of nations against one another and created an empire. A picture that sweeps from glittering European courts and bizarre palaces of India's princes to the glaring sands of Africa's desert. A cast equal in importance to that of "Alexander's Ragtime Band."

## STANLEY AND LIVINGSTONE

The absorbing story of the greatest newspaper correspondent that ever lived ... climaxed by his amazing search in the heart of Africa for his boyhood benefactor, Dr. Livingstone ... the astonishing and world-famous adventure, so powerful in its truth that fiction pales in comparison. Indicating the vast scope of this production, already more than two years in the making, an expedition of 23 people spent months in Africa filming scenes that will be but one sequence in the completed picture.

## SPLINTER FLEET

Heroic saga of an extraordinary chapter in the World War ... told for the first time. Thrilling exploits of the fragile, tiny ships that were laughed to scorn but came to glory through the courage of men who had joined up as a lark. A magnificent drama of love and duty ... culminating in the most spectacular and unusual sea battle ever screened.

## KENTUCKY

In TECHNICOLOR. The sensationally popular story by John Taintor Foote—first a Saturday Evening Post serial ... currently a novel which has run through more than a dozen editions. *The epic* of the American thoroughbred ... heart-warming, powerful, thrilling. The bitter rivalry between two great families of horse-breeders ... that began in the stormy days of '61 and intensified through the years. With a smashing climax that is one of the greatest ever depicted on the screen. Imagine—in glorious color—the world-famed Kentucky Derby ... and the matchless beauty and glory of the historic Blue Grass country.

# SONJA HENIE

**in two of her greatest**

## MY LUCKY STAR

*(formerly "They Met In College")*

The incomparable Sonja in a new—an American, down-to-earth—setting, giving her every opportunity to wear a wealth of smart clothes, surrounding her with young collegians . . . as a sub-rosa model for a big department store in a famous co-ed university. Skating? . . . the best! Romance? . . . by the bus-load! Tunes? . . . more than ever! Boxoffice? You tell us!

## AND ONE MORE SONJA HENIE HIT

# EDDIE CANTOR

**in one laugh smash**

*(title to come)*

Eddie's most hilarious and by far most original role! . . . Eddie wins a contest as "The Average Man" but in doing so becomes a human guinea pig . . . with spies watching every intimate detail of his life. A screaming situation . . . and what Eddie does with it makes laugh history. Spectacularly produced . . . with a flock of beautiful gals . . . a whopping all-star cast of swingsters, funsters . . . and the grandest songs that ever topped a Hit Parade!

# 4 JANE WITHERS

Bigger and more important than any Withers pictures ever made, each of these pictures will reflect the increased production values with which 20th Century-Fox will surround this dynamic "First Ten" star. Chosen with the utmost care, the stories are designed to give added impetus to Jane's ever-increasing popularity.

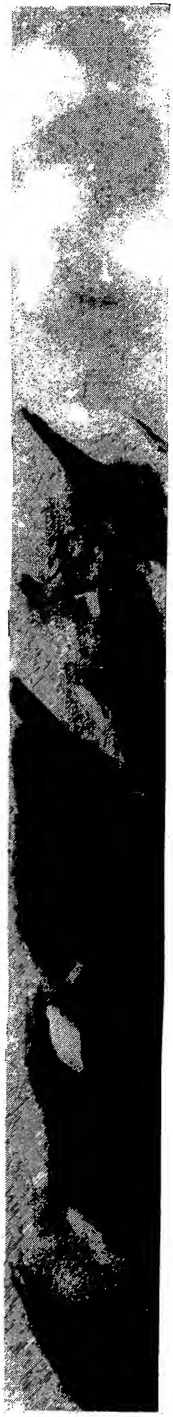
## THE LIFE OF ALEXANDER GRAHAM BELL

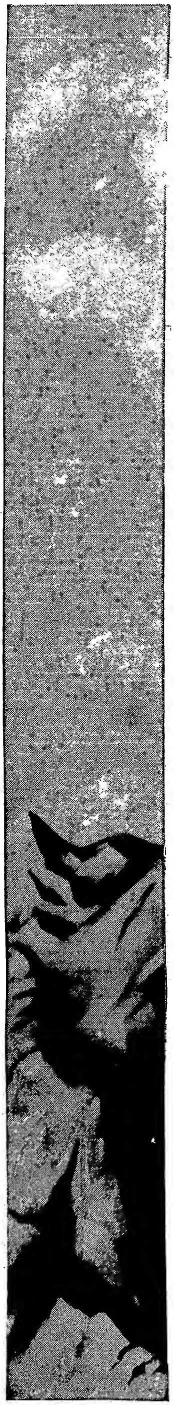
*(tentative title)*

The astounding, real-life romance of the man who gave the world the telephone and wrote one of history's most stirring chapters. Behind the instrument at your elbow is one of the great human dramas of mankind . . . the story of a scientist beginning in obscurity . . . his discouraging struggles . . . his proud invention of the telephone . . . his battle against public ridicule . . . his hopeless fight against great companies . . . with only the girl he loved to spur him on. Inspiring for its courage and emotional power. One of *the* "greats" of the season. Exploitation possibilities—*limitless!*

## JESSE JAMES

In TECHNICOLOR. For the first time, the true, breath-taking story of this colorful figure reaches the screen. The law-abiding farmer who turned bandit and train robber because of the rapacity of land agents and the injustice of the law who lost the one love of his life, and was finally betrayed by one of his own band for a bag of gold . . . but who first defied and terrorized a nation by the most daring and spectacular deeds in the annals of American crime. Photographed in the actual historic locales!





Twentieth Century-Fox has introduced a new note to the American screen through the creation of the "Series" idea in pictures—a production plan which has been so successful that it is now the envy of the industry. The care and production values that have been built into each of these series have made them one of the surest-fire profit-makers today. Now 20th has decided to give you four additional series. These pictures will, in every way, measure up to the high standards set by Charlie Chan, the Jones Family and Mr. Moto.

## 3 CHARLIE CHAN PICTURES

### with WARNER OLAND

Three more opportunities to cash in on the thrilling adventures of the screen's most celebrated sleuth. A new series of even higher production standards than have marked these outstanding pictures.

## 4 JONES FAMILY

America's best-loved family becomes bigger boxoffice with every release . . . to such an extent, in fact, that many members of the "family" today have developed sufficient marquee draw to carry a picture individually. 20th plans to protect and enhance this drawing power during 1938-39 by even stronger story material.

## 3 MR. MOTO

The famous Saturday Evening Post detective, played by Peter Lorre, has already won an enviable and growing screen following. In line with 20th's expansion policy, these pictures will be given more important casts and production strength.

## ...and these are the new series...

Today, the four following series are just names to you. But 20th Century-Fox has definite and daring plans for each of them. By next year, each series will be as solidly profitable as the three so firmly established in popularity.

## 3 TRUE STORIES

## 3 SPORTS DRAMAS

## 3 MISS MODERN GIRL

## 4 ROMANTIC ADVENTURES

**...Based on the life of a newsreel cameraman...**

●

## ACCENT ON LOVE

Rapid-fire, down-to-the-minute, comedy romance dramatized from Paul Hervey Fox's most recent novel, "Masterpiece." A hilarious expose of the fake antique racket . . . and a bright young man who decides love, too, can be faked! Richly mounted, happily cast . . . to make it one of the season's boxoffice high-spots!

# THE RITZ BROTHERS

**...in three masterpieces of musical goofery!**

Damon Runyon's

## STRAIGHT, PLACE AND SHOW

A new high in nonsensicality for the rollicking Ritzes. They back horses, buy horses, rent horses... in this mad scramble of horseplay and horse-laughs. A boxoffice sweepstakes for you!

## MOONSTRUCK

*(tentative title)*

Frederick Stephani's new story of a European princess seeing America incognito... which gets her into a mess of trouble! And then she meets three helpful singing waiters (*Guess who!*) From then on the Ritzes take charge... and the lid is off on the roaringest riot of laughs yet!

## THE THREE MUSKETEERS

When Alexandre Dumas wrote this, Alex wasn't thinking of the Ritz Brothers! But the Ritz Brothers were thinking about him. They're always thinking about their author... and matching to see who plays what! But it's your audiences that win! And when these three kings of nit-wittery go to town as Dumas' swashbuckling heroes... well, boys, start thinking about hold-overs!

●

## ELLIS ISLAND

The first great film story of the last Gateway to Freedom—written from the inside. Throbbing drama of varied and colorful characters... their loves and schemes... hopes and dreams... as they await entrance to the Land of Liberty... mounting to one of the most emotional and fascinating climaxes!

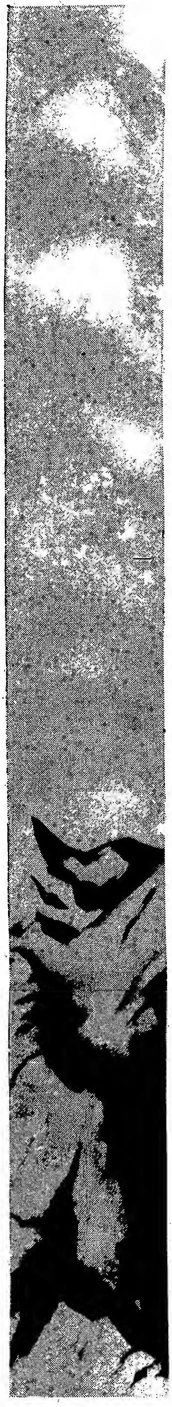
**The DIONNE QUINTUPLETS**
**in a musical**

## FIVE OF A KIND

Your most successful producers of unusual musicals give you something *sensationally* different! What 20th has up its sleeves for the Quins to do—now that they're full-fledged entertainers—is showmanship triple-plus. A typical 20th top-musical cast, of course. We have scheduled it for one of your biggest!

## THE NIGHT BEFORE THE DIVORCE

What a title! And the story matches it in sock! When a smart young detective discovers that his wife, about to divorce him, is suspected of murder, things happen fast. Reno and smart dude ranches form the locale. What pictures need to get the women this has... and spelled SRO!



# DRUMS ALONG THE MOHAWK

From Walter Edmond's greatest story . . . first a Saturday Evening Post serial, then a novel that *headed* best-seller lists for over half a year—and sold more than half a million copies! Drama of the upper New York frontier during the Revolution . . . brilliantly alive with vivid, vigorous people caught in the sinister flame of fierce, barbaric war. And threaded through it a great romantic love. Epic in the highest sense of the word!

# KING OF THE KHYBER RIFLES

The celebrated novel by Talbot Mundy that sold over a million copies . . . which tells of the unrelenting rivalry in love and war of two officers . . . each determined to prove the superiority of his branch of the service against the hordes of fanatic tribesmen attacking vital Khyber Pass! The majesty of the Himalayas . . . and spectacular scenes of war . . . form a thrilling background for this tale of gallantry and romance.

# HUDSON'S BAY COMPANY

Tumultuous, romantic adventure unparalleled in all history. The gripping experiences of a giant French trader . . . cheated by a rascal of his own race . . . who went in revenge to England's king . . . wrested for him an empire in the Canadian wilderness . . . won the love of a noble lady and lost it through a friend's treachery. Every moment a-throb with savage forest conflict and surging emotional impact. Marked for the productional scope of 20th's very biggest!

# THE RAINS CAME

Louis Bromfield's sensational Cosmopolitan Magazine serial and new best-selling novel! Compelling drama of an Englishman who sought refuge from a forbidden love in a remote Far Eastern paradise. How his retreat was rudely invaded . . . how tragedy shattered its tropic calm . . . and how the woman who had caused his exile came within his reach . . . all this told with deep sincerity and vital force. 20th's plans call for a cast of top-rank importance!

# SONG OF THE ISLANDS

In the land of the South Seas . . . abode of beautiful maidens country of breath-taking moonlight nights and enraptured romance . . . occurs this fascinating drama inspired by the haunting song which is the greeting and farewell to all travelers to Hawaii. Truly an unusual picture . . . with every emotional mood heightened by melodies of the heart!

# FALLING STAR

Written by Richard Sherman, author of "To Mary—With Love," this is the most daring and soul-searing story ever written about Hollywood. The experiences of a Hollywood star who, mistakenly, is believed to have been killed . . . and the things he then learns about himself, his friends, and the women who fawned on him. A role to tax the talents of the most brilliant star. 20th will cast it accordingly.

# SHIRLEY TEMPLE

**in three boxoffice champions—two of them musical, the third dramatic—all with outstanding casts.**

## LUCKY PENNY

*(tentative title)*

A story of today that makes its heart-aches seem like all the fun in the world . . . when a little girl turns her father's upside-down life right side up . . . just because she thinks the man in the pent-house upstairs is Uncle Sam with the famous chin-whiskers. A picture with joyous lift . . . glorious rhythms . . . sparkling new dance numbers . . . *and the world's No. 1 star!*

## SUSANNAH of the MOUNTIES

From Muriel Denison's internationally famous book. The most compellingly thrilling and action-ful story in which Shirley has appeared . . . leavened with fine romance and spiced with delightful comedy. Dancing specialties and musical hits round it out into one of Shirley's most thoroughly entertaining hits.

## LITTLE PRINCESS

Frances Hodgson Burnett's immortal story of childhood . . . unforgettable for its pathos, sincerity and understanding. The story of a little American girl, suddenly orphaned in London, and her strange and wonderful experiences. For its ability to capture hearts of all ages, this will be hailed as Shirley's best.

●

## DANCE HALL

*(tentative title)*

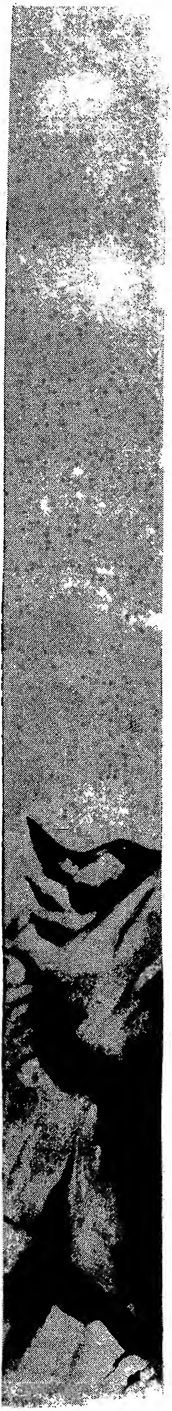
The turbulent life of an amusement park . . . with its welter of shrewd, blatant, loving, fascinatingly vital people . . . and caught in their restless whirl, a humble piano player who dreams of fame. These, plus a dynamic musical score unique in pictures, mark this a truly exceptional entertainment!

## HE MARRIED HIS WIFE

The brightest, fastest-moving and most hilarious marriage-and-divorce comedy ever made. A dizzy whirl of male plots and female counter-plots with ten laughs for every kiss—and the kisses come thick and fast. Remember 20th's "Love Is News"!

## HOLD THAT CO-ED

20th's mastery of that essential showmanship element, surprise, is never better exemplified than in its football musicals. Samples: "Pigskin Parade," "Life Begins in College." This year the lid will be off again. And, additionally, every player on the lot will be in the picture. To be released at the height of the football season. Watch for sensational announcements.



# HERE ARE THE MAKERS

**DARRYL F. ZANUCK**
*Vice-President in Charge of Production*

**WILLIAM GOETZ**
*Vice-President and Executive Assistant to Darryl F. Zanuck*

**SOL M. WURTZEL**
*Executive Producer*

**HARRY JOE BROWN**
*Executive Producer*

**EDWARD EBELE**
*Production Manager*

***Associate Producers***

Irving Berlin
Sam Engel
Howard J. Green
Raymond Griffith
David Hempstead
Jerry Hoffman
Nunnally Johnson
Edward Kaufman
Kenneth Macgowan
Gene Markey
John Stone

***Directors***

Otto Brower
David Butler
Irving Cummings
Roy Del Ruth
Allan Dwan
John Ford
Eugene J. Forde
Norman Foster
H. Bruce Humberstone
Henry King
Sidney Lanfield
Walter Lang
Herbert I. Leeds
George Marshall
Gregory Ratoff
William A. Seiter
Malcolm St. Clair
Alfred Werker

***Writers***

Art Arthur
John Balderston
Charles S. Belden
Edward Berkman
Edwin Blum
Lou Breslow
Lew Brown
Jerry Cady
Robert Chapin
Alfred Cohn
Karen de Wolf
S. M. Duncan
Philip Dunne
Kenneth Earl
Walter D. Edmonds
Robert Ellis
Don Ettlinger
Frank Fenton
Walter Ferris
Sheridan Gi
Ray Golden
Eleanor Harr
Ray Harris
Sam Hellman
Anne Herendeen
Ethel Hill
Joseph Hoffman
rown Hol
Frances Hyland
Boris Ingster
Rian James
Julien Josephson
Charles Kenyon
Curtis Kenyon
id Kuller
idel La Barba
Jack Lait, Jr.
Henry Lehrman
Sonya Levien
Helen Logan
Hal Long
Philip MacDonald
J. P. McEvoy
Betty Meyer
Capt. Harry Lloyd Morris
Jane Murfin
Morris M. Musselman
Comdr. G. O. Noville
Ernest Pascal
John Patrick
Maurice Rapf
Albert Ray
John Reinhardt
Allen Rivkin
Marguerite Roberts
Lynn Root
Kathryn Scola
Richard Sherman
Edith Skouras
Howard Ellis Smith
Milton Sperling
Lamar Trotti
Harry Tugend
Karl Tunberg
Darrell Ware
Comdr. Frank W. Weed
Jack Yellen
Lester Ziffren

***Composers and Lyricists***

Walter Bullock
Sidney Clare
Mack Gordon
Samuel Pokrass
Lew Pollack
Harry Revel
Harold Spina

# HERE ARE THE PLAYERS .

The list following—impressive as it is—does not by any means include all the names to appear in our 1938-39 pictures. As in previous years, you can count on 20th's giving you additional established favorites not even hinted at in our pre-season announcement . . . and you know you can count on 20th Century-Fox's establishing new favorites for you!

Annabella
Lynn Bari
Phyllis Brooks
Spring Byington
Jane Darwell
Joan Davis
Alice Faye
Gracie Fields
Gladys George
Sonja Henie
Portland Hoffa
Louise Hovick
June Lang
Myrna Loy
*(Courtesy of M-G-M)*
Mary Maguire
Ethel Merman
Edna Mae Oliver
Simone Simon
Barbara Stanwyck
Gloria Stuart
Ruth Terry
Shirley Temple
Claire Trevor
Helen Westley
Arleen Whelan
Jane Withers
Marjorie Weaver
Loretta Young

•

Fred Allen
Don Ameche
George Barbier
Freddie Bartholomew
*(Courtesy of M-G-M)*
Warner Baxter
Tom Beck
Dick Baldwin
J. Edward Bromberg
John Carradine
Eddie Cantor
Chick Chandler
Brian Donlevy
Ralph Forbes
Richard Greene
Jack Haley
Jean Hersholt
Bert Lahr
Peter Lorre
Herbert Marshall
Tony Martin
Joel McCrea
*(Courtesy of Samuel Goldwyn)*
Victor McLaglen
George Murphy
Warner Oland
Reginald Owen
Tyrone Power
Gregory Ratoff
William "Bill" Robinson
Cesar Romero
Three Ritz Brothers
George Sanders
Joseph Schildkraut
Randolph Scott
*(Courtesy of Paramount)*
Raymond Scott & Qui
Slim Summerville
Arthur Treacher
Michael Whale-
Robert Young
*(Courtesy of M-G-M)*

# HERE IS THE SHORT PRODUCT

Determined on giving to its shorts the same high quality as its features, 20th Century-Fox will this year produce its own distinctive one-reel subjects under the supervision of Truman Talley. New studios are now being built in New York for the production of these pictures which will be the pride of every theatre that plays them!

## 6 LOWELL THOMAS' MAGIC CARPET OF MOVIETONE

Retaining all the photographic beauty of former Magic Carpets but, in addi-, tied up dramatically with current news. Narrated by Lowell Thomas.

## 6 ED THORGERSEN'S SPORTS-PREVIEW

To be issued every other month at the beginning of each of the major sports seasons . . . outlining in terse, dynamic terms the highlights of the season to come . . . as only Ed Thorgersen can do it.

## 6 LEW LEHR'S KINDERGARTEN

A half-dozen howling subjects in which the screen's No. 1 funnyman comments on screw-ball events in the nation's news.

## 4 ADVENTURES OF A NEWSREEL CAMERAMAN

One of the most successful short series ever produced. Recognized by all exhibitors for its constantly increasing box-office draw!

## 4 VYVYAN DONNER'S FASHION FORECASTS

In TECHNICOLOR. One each for Autumn, Winter, Spring and Summer. A subject that will wow the women, fascinate the men!

*—and—*

## 26 TERRYTOONS

Paul Terry's famous cartoon organization will this year launch a far more ambitious program. *At least six of the subjects in color!*

# MOVIETONE NEWS

The dramatic and complete presentation of the news has never been of more vital importance than today . . . when practically every hour brings word of events that can entirely overturn life as we know it. That is why it is so important to have a world-wide organization equipped to gather and distribute the news . . . in which department Movietone News stands unchallenged as first. This organization . . . which gave you the Panay Films and many other specials at no extra cost to you . . . will continue to give you the best in newsreels twice each week.

TRUMAN TALLEY
*Vice-President and Producer*

**EDMUND REEK**
*General Manager*

**LOWELL THOMAS**
*News Commentator*

**LEW LEHR**
*Newsettes*

**RUSSELL MUTH**
*European Director*

**ED THORGERSEN**
*Sports Commentator*

**HARRY LAWRENSON**
*Foreign Editor*

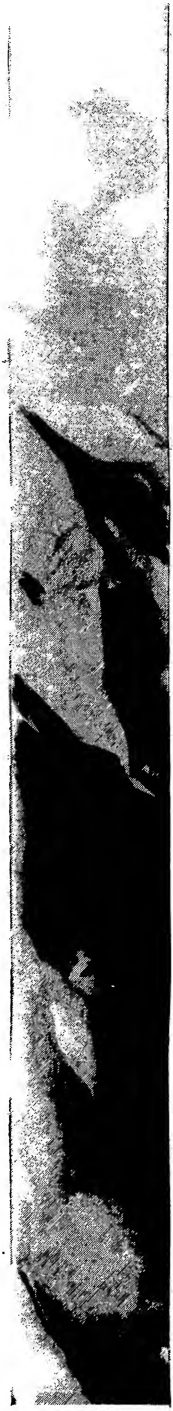
**VYVYAN DONNER**
*Feminine World*

20th CENTURY FOX

**THE KEYSTONE OF YOUR FUTURE**

**JOSEPH M. SCHENCK**
*Chairman of the Board*

**SIDNEY R. KENT**
*President*



# ROBIN HOOD

### (IN COLOR)

Hollywood, April 26.

Warner Bros. release of a First National production. Stars Errol Flynn and Olivia De Havilland; features Basil Rathbone and Claude Rains. Directed by Michael Curtiz and William Keighley. Original screenplay, Norman Reilly Raine and Seton I. Miller; camera, Tony Gaudio; music, Erich Wolfgang Korngold. At W'll Hollywood, April 25, '38. Running time, 104 mins.

| | |
|---|---|
| Robin Hood | Errol Flynn |
| Maid Marian | Olivia De Havilland |
| Sir Guy of Gisbourne | Basil Rathbone |
| Prince John | Claude Rains |
| Will Scarlet | Patric Knowles |
| Friar Tuck | Eugene Pallette |
| Little John | Alan Hale |
| High Sheriff of Nottingham | Melville Cooper |
| King Richard | Ian Hunter |
| Bess | Una O'Connor |
| Much-the-Miller's Son | Herbert Mundin |
| Bishop of Black Canon | Montagu Love |
| Sir Essex | Leonard Willey |
| Sir Ralf | Robert Noble |
| Sir Mortimer | Kenneth Hunter |
| Sir Geoffrey | Robert Warwick |
| Sir Baldwin | Colin Kenny |
| Sir Ivor | Lester Matthews |
| Dickon Malbete | Harry Cording |
| Captain of Archers | Howard Hill |
| Innkeeper | Ivan Simpson |

Robin Hood and his Sherwood Forest gangsters who saved England from royal treachery during the absence of crusading Richard the Lion-Hearted live again in films. Warners revives the legend with Errol Flynn in the role in which Douglas Fairbanks, Sr. scored his first big success 17 years ago. It is cinematic pageantry at its best. A highly imaginative telling of folklore in all the hues of Technicolor, deserving handsome boxoffice returns.

Film is done in the grand manner of silent day spectacles with sweep and breadth of action, swordplay and hand-to-hand battles between Norman and Saxon barons. Superlative on the production side.

'The Adventures of Robin Hood' makes a strong bid for family trade and an appeal to a public which takes its historical bedtime stories seriously. Robin Hood, with its naive, romantic charm, has showmanship qualities in its tale of simple virtues, hard fighters for a righteous cause, and black villainy. Played with intensity by an excellent company of actors, an illusion of fairy story quality is retained throughout. Michael Curtiz and William Keighley are credited as co-directors, the former having picked up the story soon after its filming started when Keighley was incapacitated by illness. There is skillful blending of their joint work from a screenscript written by Norman Reilly Raine and Seton I. Miller. Musical scoring is by Erich Wolfgang Korngold. Outstanding is the rainbow camera work of W. Howard Greene, Tony Gaudio and Sol Polito, who have merged numerous compositions and effects with colorful exteriors.

Flynn makes the heroic Robin a somewhat less agile savior of the poor than Fairbanks portrayed him, but the Warner version emphasizes the romance. Teamed again with Olivia de Havilland as Marion, Flynn is an ardent suitor and a gallant courtier. There are some convincing histrionics by Basil Rathbone, Claude Rains, Patric Knowles, Eugene Pallette, Alan Hale and Melville Cooper. Lighter moments are furnished by Una O'Connor and Herbert Mundin. Montagu Love and Ian Hunter have less to do but do it with conviction. Some hundreds of extra players are engaged in several of the scenes, notably the archery tournament, the scaffolding sequence and the coronation passage.

Costuming and settings are unusually brilliant and Carl Jules Weyl's art direction is outstanding. Film has size, an appeal for eye and ear, and a story familiar in every land. It should register substantially at theatres. *Flin.*

# COLLEGE SWING

Paramount release of Lewis E. Gensler production. Features George Burns and Gracie Allen, Martha Raye, Bob Hope, E. E. Horton, Ben Blue, Betty Grable, Jackie Coogan. Directed by Raoul Walsh. Screenplay by Walter De Leon and Francis Martin, based on an adaptation by Frederick Hazlitt Brennan of an idea by Ted Lesser; editor, LeRoy Stone; songs, Frank Loesser, Burton Lane, Manning Sherwin, Hoagy Carmichael; musical director, Boris Morros; dances, LeRoy Prinz; assistant director, Roland Asher; camera, Victor Milner. Previewed in Projection Room, N. Y., April 21, '38. Running time, [illegible] mins.

| | |
|---|---|
| George Jonas | George Burns |
| Gracie Alden | Gracie Allen |
| Mabel | Martha Raye |
| Bud Brady | Bob Hope |
| Hubert Dash | Everett Horton |
| Ginna Ashburn | Florence George |
| Ben Volt | Ben Blue |
| Betty | Betty Grable |
| Jackie | Jackie Coogan |
| Martin Bates | John Payne |
| Dean Sleet | Cecil Cunningham |
| Radio Announcer | Robert Cummings |
| Skinnay | E. C. 'Skinnay' Ennis |
| Slate Brothers | Themselves |
| Bob Mitchell and the St. Brendans Choristers | |
| Professor Yascha Koloski | Jerry Colonna |
| Dr. Ashburn | Charles Trowbridge |
| Professor Jasper Chinn | Jerry Bergen |
| Two Playboys | Themselves |
| Grandpa Alden | Tully Marshall |
| Dr. Storm | Edward J. LeSaint |
| Dean | Barlowe Borland |

'College Swing' is a poor musical. Only the youthful tempo of the sum total and the marquee values of Burns and Allen, Martha Raye, E. E. Horton, Jackie Coogan, et al., will get it attention. It's a medley of vaude specialties, bits and numbers strung together in not too happy a manner. A good set of songs, of which 'How'ja Like to Love Me?' the standout, is on the positive side of the ledger.

Film runs 88 minutes, and plenty is packed into it in the way of variety numbers, but the story is one o' those things. Blend of the campus with the 52d street idiom makes for weird plot results. Particularly when Gracie Allen, as the No. 1 dunce, suddenly inherits a college and turns it into a clambake.

All this is background for the usual Burns and Allenisms. Bob Hope's skullduggery as the manager, Horton's typed timidity with femmes, Ben Blue's knockabout comedy as the pseudo-gym instructor, the standard mayhem by the Slate Bros., Jerry Colonna and Jerry Bergen in two hoke bits, and Martha Raye's familiar 'o-boy' style of clowning, are intermittenly effective. Florence George and John Payne evidence potentialities in the ingenue and juve assignments; Betty Grable does her usual soubret; Jackie Coogan's contribution is more or less a bit, and the rest are also-ran.

Of the new faces, besides Florence George and Payne, E. C. (Skinnay) Ennis, alumnus of the Hal Kemp band where he was the vocalist, is to the fore with vocal interludes. Slates, likewise new to filmusicals, although standard in vaude, will perforce be likened to the Ritzes, the Yachters and the Stooges, their stuff being a medley of all these type turns.

Of the comedy, it's a pot pourri of everything from the hokum multiplication and subdivision business to a reprise of the English-inflected 'thenk-ya!' type of running gag. In between, Gracie Allen rings in an Irish reel, which about tops everything. Ben Blue's comedy is principally along the lines of anemic calisthenics in the gym sequence.

The titular 'College Swing' constitutes the highlight staging by LeRoy Prinz, of which the peckin' motif is the basis. 'What a Rhumba Does to Romance' is the finale number, and a likely terp tune. Besides the above-mentioned—and of course 'How'ja Like to Love Me?', which is already well in the air—a ballad; 'I Fall in Love With You Every Day' has potentialities.

Film opens in 1738, around an old New England schoolroom setting, with one of the pupils going into a scat version of 'The Old School Bell,' which is the hymnal chant by the St. Brendans choir. Master asks the pupil his name, and he says, Benny Goodman. Whereupon Horton, as the teacher, opines that nothing good will ever come of that type of singing. Before the action segues from 1738 to the present, some 10 minutes elapse, which is too much for the primary objective. *Abel.*

# STOLEN HEAVEN

### (WITH SONGS)

Paramount production and release. Stars Gene Raymond and Olympe Bradna, features Glenda Farrell, Lewis Stone. Directed by Andrew L. Stone. Story, Andrew L. Stone; adaptation, Eve Greene and Frederick Jackson; editor, Doane Harrison; photography, William Mellor; song, Frank Loesser and Manning Sherwin. Reviewed in Projection Room, N. Y., April 22, '38. Running time, 88 mins.

| | |
|---|---|
| Carl | Gene Raymond |
| Steffi | Olympe Bradna |
| Rita | Glenda Farrell |
| Langauer | Lewis Stone |
| Von | Porter Hall |
| Klingma | Douglass Dumbrille |
| Bako | Joseph Sawyer |
| Lieschen | Esther Dale |
| Hubert | Charles Judels |
| Lubert | Ferdinand Gottschalk |
| Poleslo | Charles Halton |
| Wenzel | Bert Roach |
| Gottlieb | Rolfe Sedan |
| Burgomaster | Horace Murphy |

Different and refreshing, 'Stolen Heaven' is pleasing entertainment all the way, the kind of a production that deserves to do considerably better than average in the domestic market and abroad as well. It will boost the stock of both Olympe Bradna, Par's young star, and Gene Raymond, as well as the director, Andrew L. Stone. The original, on which Eve Greene and Frederick Jackson's adaptation is based, was written by Stone.

His story, while basically no gem as to plot or situations, obtains extra values in the writing and the piloting of the yarn. Plot is actually quite thin, yet it ve competently holds the attention for a stretch of 88 minutes as performed by the capable cast that was chosen. Everything is built around a group of clever jewel thieves, two of whom (Bradna and Raymond) are innocently harbored by an old, broken-down concert pianist until the law finally ferrets them out. It is a queer story in many ways but manages very well to avoid being disconcerting except on a couple minor occasions, notably when Miss Bradna goes softie for Lewis Stone, the pianist.

The former Paderewski, through on the concert stage because he's lost his touch, stages a comeback through the faith Miss Bradna and others falsely build for him. Note struck in this connection is little bit illogical but it doesn't detract from the entertainment values obtained by Stone and his players.

Different, also, with this picture, is that it employs the music of several immortals, including Wagner, Liszt, Moskowski, Chopin, Grieg and Strauss as background for scenes with Stone. Miss Bradna singing the melodies of some of the numbers chosen. Up ahead, on the opening, Miss Bradna, Gene Raymond and others do a specially-written song, 'Boys in the Band,' atmosphere for a beer garden sequence. The piano-playing by Stone is probably dubbed; there is considerable of it.

## Miniature Reviews

**'Robin (WB).** pageantry at its best. handsome b.o. returns.

**'College Swing' (Par).** iocre filmusical with Burns and Allen, Martha Raye, Horton, Blue, et al.

**'Stolen Heaven' (Par).** Entertaining and well-made melo that boosts the stock of Olympe Bradna and Gene Raymond.

**'Doctor Rhythm' (Par).** tertaining filmusical starring Bing Crosby.

**'Four Men and a Prayer'** (20th. Melodrama with a better cast than story. Average boxoffice.

**'Battle of Broadway' (20th).** Rowdy comedy in a Legion convention background.

**'Accidents Will Happen' (WB).** Insurance fraud story, clipped from newspaper headlines. Unimpressive programer.

**'Hideout in the Alps' (GN).** Okay supporting film, offering something different, a ski-chase between cops and crooks.

Miss Bradna, now 19, becomes a star with 'Stolen Heaven.' She was previously featured in 'Train From Madrid' and 'Souls at Sea' by Par, which found her at the French Casino, New York nitery, more than a year ago. She has loads of personality and her chances for front-line importance are excellent. Gene Raymond also does a swell job as the brains of the jewel mob figuring in this case. Miss Bradna has some dancing chores, including an incidental toe dance while a Viennese waltz is being sung. In one brief scene she has a gardener singing a Moskowski number with her.

Stone proves a nice fit for the part of the old pianist, while Glenda Farrell and Porter Hall are excellent types as gem thieves. Others in the supporting cast, all turning in fine performances, include Douglas Dumbrille, Esther Dale, Charles Judels, Joseph Sawyer and Ferdinand Gottschalk. The photography, by William Mellor, is excellent, a wild car chase being outstandingly shot. *Char.*

# DR. RHYTHM

Hollywood, April 26.

Paramount release of Emanuel Cohen's production for Major Picts. Stars Bing Crosby, Mary Carlisle and Beatrice Lillie; features Andy Devine, Rufe Davis, Laura Hope Crews and Fred Keating. Directed by Frank Tuttle. Screenplay by Jo Swerling and Richard Connell, based on 'The Badge of Policeman O'Roon,' by O. Henry; additional comedy scenes by Dion Titheradge; musical director, George Stoll; songs, John Burke and James V. Monaco; orchestrations, John Scott Trotter; dances, Jack Crosby; associate producer, Herbert Polesie; camera, Charles Lang; asst. director, Russell Matthews. Previewed at Paramount, L. A., April 22, '38; running time, 80 mins.

| | |
|---|---|
| Dr. Remsen | Bing Crosby |
| Judy | Mary Carlisle |
| Mrs. Lorelei Dodge-Blodgett | Beatrice Lillie |
| Patrolman O'Roon | Andy Devine |
| Al | Rufe Davis |
| Mrs. Twombling | Laura Hope Crews |
| Chris Le Roy | Fred Keating |
| Inspector Bryce | John Hamilton |
| Luke | Sterling Holloway |
| Otis Eaton | Henry Wadsworth |
| Mr. Stanchfield | Franklin Pangborn |
| Mr. Martingale | Harold Minjir |
| Mr. Coldwater | William Austin |
| Cazzatta | Gino Corrado |
| Police Captain | Harry Stubbs |
| Crowley | Frank Elliott |
| Chauffeur | Charles Moore |

After several previous tries in Hollywood films, Beatrice Lillie finally cuts loose with her exaggerated characterizations and satiric nonsense, and as a result 'Dr. Rhythm,' in which she is co-starred with Bing Crosby and Mary Carlisle, will get heavy first run bookings this spring. There is good marquee display in the title and top names, and customers will spread favorable comment after leaving theatres. This film should do nice business.

'On the Sentimental Side,' one of five songs by John Burke and James V. Monaco, looms the likeliest, along with 'My Heart Is Taking Lessons.'

Although the film lapses into conventional revue pattern before the finish, which weakens it considerably, it carries a farcical thread of plot suggested by O. Henry's short story, 'The Badge of Policeman O'Roon.' Jo Swerling and Richard Connell wrote the screenscript, and apparently tried zealously to retain continuity. Once Miss Lillie starts to cavort and opens up with her now standard 'Double Damask Napkin' skit, which is used as a running gag, the troubles of Officer O'Roon are likely to be forgotten.

Filmusical was made by Emanuel Cohen under his Paramount releasing contract, recently terminated. Frank Tuttle, who directed 'Waikiki Wedding,' with Crosby starred, seems to have the right combination on the crooner's films. Casting of Miss Lillie, and then giving her the opportunity to show her stuff, even if much of it is familiar material which she has used on the stage and over the air, is smart showmanship.

Opening scenes are laid in the Central Park zoo, where four alumni of Public School No. 43, Brooklyn, meet at midnight for their annual reunion. Crosby, a successful physician; Andy Devine, a patrolman; Sterling Holloway, ice cream salesman, and Rufe Davis, zoo keeper, do the celebrating. In the more sober moments of the morning after, Crosby takes Devine's assignment to act as bodyguard for a young society woman. Thus the romantic angle and introduction of Mary Carlisle's fragile blonde beauty.

Story winds up with a policeman's benefit show under Miss Lillie's sponsorship. This is the setting for a rowdy and quite funny operetta burlesque, entitled 'Only a Gypsy Knows,' which has its moments of high hilarity.

Supporting parts are taken by Laura Hope Crews, Fred Keating, Harry Stubbs and Franklin Pangborn.

'Dr. Rhythm' will keep Crosby at his present high box-office rating. *Flin.*

# Four Men and a Prayer

Hollywood, April 26.

20th-Fox release of Kenneth MacGowan production. Features Loretta Young, Richard Greene, George Sanders, David Niven, C. Aubrey Smith. Screenplay by Richard Sherman, Sonya Levien and Walter Ferris; from novel by David Garth; camera, Ernest Palmer; editor, Louis Loeffler; music, Louis Silvers. Previewed at Grauman's Chinese, April 19, '38. Running time, 85 mins.

| | |
|---|---|
| Lynn | Loretta Young |
| Geoff | Richard Greene |
| Wyatt | George Sanders |
| Chris | David Niven |
| Leigh | C. Aubrey Smith |
| Torres | Edward Bromberg |
| Rod | William Henry |
| General Sebastian | John Carradine |
| Furnoy | Alan Hale |
| Loveland | Reginald Denny |
| Cherrington | Berton Churchill |
| Mulcahay | Barry Fitzgerald |
| General Bryce | Claude King |
| Piper | Cecil Cunningham |
| Mullins | Frank Dawson |
| Drake | John Sutton |
| Ah-Nee | Lina Basquette |
| Defense Attorney | Frank Baker |
| Prosecuting Attorney | William Slack |
| Cherrington's Secretary | Harry Hayden |
| Cockney | Will Stanton |
| Judge | Winter Hall |
| Coroner | Lionel Pape |
| Jury Foreman | Brandon Hurst |
| Barristers | John Spacey, C. Montague Shaw |

With a top director and an excellent cast of players, 'Four Men and a Prayer' starts out as exciting melodrama, ising interesting romantic and adventurous angles. It finishes as a piece of disappointing entertainment. Box office response probably will be below average, despite the name values of a strong player list, which includes Loretta Young, Richard Greene (personable juvenile recently imported from London), George Sanders, David Niven, C. Aubrey Smith, Reginald Denny, Alan Hale and others.

Story is about munition manufacturers, filibusters and international connivers. The action skips from continent to continent with the ease of short-wave broadcasting. India, London, South America, Egypt and Washington figure as backgrounds. Production values are good and the film bears the mark of liberal expenditure. It seems to have everything except a convincing story. Screenscript was written by Richard Sherman, Sonya Levien and Walter Ferris from a novel by David Garth.

Four sons of a British army officer, who is dishonorably discharged from the service and subsequently murdered, set out to clear his name and record. Their chase to all corners of the world might have been tense and thrilling if the audience knew more details of the cause for his unjust disgrace. With several story threads moving simultaneously, with characters using transatlantic phone connections to report clues, the film is geared to episodic pace and is disconcertingly jumpy. There are so many extraneous by-plots (some of them introduced late in the film) that the main issue of who killed General Leigh and why is frequently lost sight of. As a mystery it becomes mystifying.

C. Aubrey Smith is the army officer who is betrayed by subordinates and murdered by agents for a munition firm. The sons are played by Sanders, Niven, William Henry and the newcomer, Richard Greene. Last named is a good-appearing youth of the Robert Taylor-Tyrone Power type. He is capable in comedy, and his romantic scenes with Miss Young are well played. He has bright prospects under his new Hollywood aegis.

Ford handles individual scenes with skill, but the pace of the film is so uneven, ranging from melodrama to farce, that the general effect at times is bewildering. Expert editing might further straighten out some of the story shortcomings.

Smaller standouts are done by J. Edward Bromberg, John Carradine, Alan Hale and Reginald Denny, who plays a suave heavy. Barry Fitzgerald would be funnier if he would speak more distinctly. Berton Churchill gets some humor from a villain role. Nevi is the best in the cast. *Flin.*

## LUISE SQUIRE IN PIX

Hollywood, April 26.

Progressive Pictures has signed Luise Squire for a series of pictures. She initials her contract in 'Scandal House,' playing the role of the gym instructor.

She is it from radi

# Battle of Broadway

### (WITH SONGS)

th-Fox release of Sol B. Wurtzel production. Features Victor McLaglen, Brian Donlevy, Louise Hovick. Directed by George Marshall. Story, Norman Houston; adaptation, Lou Breslow and John Patrick; songs, Sidney Clare and Harry Akst; editor, Jack Murray; photography, Barney McGill. At Rivoli, N. Y., week April 23, '38. Running time, 84 mins.

| | |
|---|---|
| Big Ben Wheeler | Victor McLaglen |
| Chesty Webb | Brian Donlevy |
| Linda Lee | Louise Hovick |
| Homer C. Bundy | Raymond Walburn |
| Marjorie Clark | Lynn Bari |
| Mrs. Rogers | Jane Darwell |
| Jack Bundy | Robert Kellard |
| Turkey | Sammy Cohen |
| Opal Updyke | Esther Muir |
| Svengon | Eddie Holden |
| Agatha | Hattie McDaniel |
| Professor Halligan | Paul Irving |
| Pinky McCann | Frank Moran |
| Judge Hutchins | Andrew Tombes |

Last fall's American Legion debacle in New York provides a fresh background for more of the Quirt-Flagg shenanigans in Sol Wurtzel's aptly-titled programer, 'Battle of Broadway,' a late spring release that ought to do fairly well generally. It is rowdy, good-natured fun, stretched a little more than it should have been, but withal enter ing enough for satisfaction.

The running time is inutes, with the second half slowing up somewhat after a fine pace to about the middle. In the editing, Jack Murray could easily have scissored out 10 minutes or so in the second half for improvement.

One of the disappointments is the failure of producer Wurtzel or his director, George Marshall, to make more use of Sammy Cohen, who sparkles whenever he is on. He's almost forgotten after the half-way mark. Camera concentrates heavily on Victor McLaglen and Brian Donlevy, the Quirt-Flagg combination of the story. Raymond Walburn is the Babbitt steel man from Pennsylvania who, in trying to break up his son's romance with a showgirl, falls for Louise Hovick, nitery singer, himself. A somewhat false note is struck when the script takes this romance too seriously, Miss Hovick not being the type to daffy over one such as Walburn plays. The scenario job otherwise is very capable, the dialog especially above average.

A good deal of socking and rough-house figures, the script in that connection authentically reflecting the 'battle of Broadway' that the Legion convention brought. Shots of the actual parade are cut in for the finish.

Two specially-written songs figure, 'Legionnaires' and 'Daughter of Mademoiselle.' McLaglen and Donlevy lead a Legion bunch in singing 'Legionnaires,' Miss Hovick featuring the other number as part of the night club sequence in which she appears. Both listen fairly. *Char.*

# CALL OF THE YUKON

Republic release of Armand Schaefer production. Features Richard Arlen, Beverly Roberts, Lyle Talbot. Directed by B. Reeves Eason. Screenplay, Gertrude Orr and William Bartlett from 'Swift Lightning,' by James Oliver Curwood; cameraman, Ernest Miller. Reviewed in Projection Room, N. Y., April 21, '38. Running time, 70 mins.

| | |
|---|---|
| Gaston | Richard Arlen |
| Jean | Beverly Roberts |
| Hugo | Lyle Talbot |
| Olee John | Mala |
| Connor | Garry Owen |
| O'Malley | Ivan Miller |
| Topek | James Lono |
| Swede Trapper | Emory Parnell |
| Watchman | Billy Dooley |
| Joe | Al St. John |
| Bill | Anthony Hughes |
| Knudka | Nina Campana |

This combo animal and adventure epic is a little too much to jumble into one film. However, it does come out fairly clear if unconvincing. Has added aid of mild draws Richard Arlen and Lyle Talbot, and exploitable angles in wild dogs (for the juves). Will have no trouble on the lower deck of dual depots.

Cast namers do not seem very happy with what they are doing and film suffers a little from that. Things are stretched to the breaking point for all but kids who won't mind seat-participation in the unbelievable happenings. Pursued by a pack, inundated by snowslides, nearly drowned, starved, embattled against the elements of rain, ice crushes, falling timber plus fistic battles between men for a maid, and all come out in the clear. Love parallels between the human leads and the two hounds, as part of the theme. Catch?

Arlen finally pursuades girl writer to exit a deserted Eskimo village when all other signs of life have left and only wolves remain. En route to civilization they encounter every known and also unknown obstacle during which time she falls for Arlen who kills everything that walks or crawls on slightest provocation. After the rescue by still another admirer (Talbot), Arlen nearly kills him in the primitive manner and temporarily loses gal. At same time a stray collie, which has followed them from the wastes, deserts the half-wolf she befriended for Talbot's mastiff, but all go back to their first loves for finale.

Collection of animals and their tricks will undoubtedly delight kids. Girl totes two cub bears and a talking raven besides the collie. Bears are always in trouble and once in flight from hungry wolves. *Hurl.*

## Accidents Will Happen

Warner Bros. production and release. Features Ronald Reagan, Gloria Blondell, Dick Purcell, Sheila Bromley. Directed by William Clemens. Screenplay, George Bricker, Anthony Coldeway; story, George Bricker; camera, L. William O'Connell. At Strand, N. Y., week April 23, '38. Running time, 60 mins.

| | |
|---|---|
| Eric Gregg | Ronald Reagan |
| Patricia Carmody | Gloria Blondell |
| Jim Faber | Dick Purcell |
| Nona Gregg | Sheila Bromley |
| Blair Thurston | Addison Richards |
| John dhum | Hugh O'Connell |
| Mary Tarlton | Janet Shaw |
| Burley Thorne | Elliot Sullivan |
| Dawson | Anderson Lawlor |
| Specs | Spec O'Donnell |
| Nunnie | Kenneth Harlan |
| Dorsey | Don Barclay |
| Dr. Earl | Earl Dwire |
| Doc | Max Hoffman, Jr. |
| Cosgr | John Butler |

his is an unsuccessful attempt to cash in on the news headlines. It's a story about insurance frauds, but rates as just another dualer.

A youthful insurance adjuster, who has more ideals than business acumen, is wed to a chiseler. And so, ith this twist, the plot spreads to the point where the wife, wanting a fancy life, crosses the husband, just as he is investigating a gang of insurance crooks. The wife falls in with the phoney accident crowd through a bad loan and then walks out on the husband. That throws him for a loss and ditto his job. But the cigar stand girl (Gloria Blondell) likes him. With unseen assistance from the law they finally bring the crooks to justice. The cast does a pretty good job, the direction is good, but the action stuff is not particularly impressive.

loria Blondell, sister of Joan Blondell, impresses here. Sheila Bromley satisfies, too, but the men excel the femmes, ithout exception. *Shan.*

## TROOPSHIP

### (BRITISH MADE)

United Artists release of Alexander Korda-Erich Pommer production. Features Leslie Banks, Flora Banks, Sebastian Shaw and Patricia Hilliard. Directed by Tim Whelan. Original story by Wolfgang Wilhelm; dialog, Ian Hay; musical score, Richard Addinsell; music director, Muir Mathieson; editor, Jack Dennis; camera, James Wong Howe and Hans Schneeberger; production manager, W. H. Burnside. At Little Carnegie, N. Y., week April 25, '38. Running time, 82 mins.

| | |
|---|---|
| Col. Blair | Leslie Banks |
| Mrs. Blair | Flora Robson |
| Capt. Reed | Sebastian Shaw |
| Ann Harrison | Patricia Hilliard |
| Roddy Hammond | Anthony Bushell |
| Elsie Wainwright | Rene Ray |
| Jim Carter | Ro rt Newton |
| Lady Joan | Lenora Corbett |
| Dr. Pearson | J. H. Roberts |
| Major Swayle | llot Makeham |
| Mrs. Swayle | Martita Hunt |
| Smith | Robert Cochran |
| Sergeant | Edward Lexy |
| Mrs. Bra | Moira O'Neill |
| Sgt. Major | Wally Patch |
| Mrs. Billings | Margaret Moffatt |
| Lily Toft | Gertrude Musgrave |
| Corporal Edrich | Billy Shine |
| Bulger | Alf Goddard |
| Mrs. Bulger | Edie Martin |
| Withers | Edmund Willard |
| Moore | Phil Ray |
| Mrs. Moor | Janet Burnell |
| Judd | Jerry Verno |
| McAllister | John Laurie |
| Harry | Vernon Harris |

'Troopship,' ith all the bangles, martial music, joys and tribulations of a military story, just misses landing in the port of good ole box office. As a first-rate melodrama concerning the lives of a typical British regiment, without a single shot being fired, it is a picture filled with colorful moments. In the final sequences, when the troops have to climb back on their ship after only six hours in port, it is a genuine tear-jerker. But it has no marquee values for the U. S. market.

The Pommer-Korda production is strongest in its spectacle scenes, such as the noisy greeting to the troopship at Southampton, the gladsome reunions and again as the entire regiment bids farewell to the home port. Director Tim Whelan, however, has used unerring skill in following the five principal characters and in injecting typical banter episodes among the Tommies.

Entire plot hinges on the urge of one British regiment to get home after five years in foreign service; their outspoken disappointment over being ordered back into another trouble zone after a few hours in England, and the surge of loyalty as soldiers are told that the country comes first. The devotion of the colonel to his ailing wife; the romance between a young captain and ship nurse, and the love affair of a non-com for a flighty shopgirl that nearly ends in tragedy, have been nicely etched without the customary British habit of going overboard.

Leslie Banks supplies a dignified portrayal of the colonel who is forced to leave his wife behind. The wife is effectively done by Flora Robson. Surprise contribution is the invigorating performance of Sebastian Shaw as the romantic captain, while Patricia Hilliard, in the nurse role, is evenly balanced between the vivacious and sincere.

Anthony Bushell, as a rival for the captain's fiancee, is on for only a bit. Leonora Corbett is well cast as Lady Joan, the girl the captain left behind. There are a number of other deft characterizations inclu ing those by Robert Newton, Edward Lexy, Robert Cochran, Wally Patch, Edmund Willard, Jer and Vernon Harris.

Photography by James ong Howe and Hans Schneeberger is topnotch throughout. Producers have given the film all the mounting possible, considering the large number of scenes aboard ship.

Best chance the exhibitor has with the film is to stress its melodramatic angle. *Wear.*

## HIDEOUT IN THE ALPS

)

Grand National release of Julius Hagen production. Features Jane Baxter, Anthony Bushell. irected by Bernard Vorhaus. From play by Nell Grant; additional dialog, Paul Hervey Fox; camera, Curt Courant, Kurt Newbert, Otto Martin. At Central, N. Y., week April 22, ' Running time, 74 mins.

| | |
|---|---|
| Linda Kent | Jane Baxter |
| Inspector Forsyth | Anthony Bushell |
| Jim Kent | Ronald Squire |
| Miss Butterby | Margaret Rutherford |
| Goldie | Davina Craig |
| Mr. Kent | Athole Stewart |
| Mrs. Kent | Katie Johnson |
| Hotel Proprietor | Austin Trevor |
| Asst. Commi ioner | Felix Aylmer |
| Helmeley | al Gordon |

ice, gentle, matter-of-fact ritish picture, about counterfeiters and Scotland Yard, offering something different, such as a ski-chase by cops and robbers over snow slopes. That's the punch of the picture. A satisfactory supporting type of picture for the U. S. market.

Counterfeiters make their headquarters in an Alps sports hotel. Jane Baxter, a looker, is the niece of a convicted forger and sister of a counterfeiter. Anthony Bushell, who used to perform in Hollywood, is the police inspector who falls for her. She's a right nice young lady, so it's okay. Bushell is good looking, but makes an awful cop.

When Bushell and Miss Baxter are finally up against it with the counterfeit gang, the weakling brother hops down a rope from an aerial tram to save them. A snowslide happens along to adjust everything. The brother and the gang perish in the avalanche, and Bushell wins Mi Baxter. As a funny twist to the romance it takes two forged love notes to bring Bushell and Miss Baxter together. Her uncle does that trick. Its' a neat angle, for a fade-out.

The humor in the picture is of the British kind—not too hilarious, but still tickling. And the crooks are all gentlemen, or nearly. Everything and everybody is quite dignified, and the Britishers have poured just about everything into this picture but what actually spells a good picture.

Bushell is the only cast name at all familiar in the U. S. Rest are foreign, but okay. Their speech at times is unintelligible. Outdoor backgrounds are colorful and interesting.

Ronald Squire as the girl's uncle, a forger, is quite the complacent English crook. And he serves his task well and sympathetically. Ought to be in Hollywood, and Miss Baxter, too. They are two worthies. That chap who plays the role of boss inspector is more the banker type, and Arthur Macrae, as the brother, performs understandingly. He's a good character actor.

Direction is good and camera work expert. *Shan.*

## ZAMBOANGA

Grand National release of Tail-Harris production. Native cast. Directed by Eduardo de Castro; camera, William H. Jansen; sound, Louis R. Morse; editor, Ralph Dixon; music, Dr. Edward Kilenyi. At Varsity, Lincoln. Running time, 65 mins.

Pacific islands have been gone over with a fine-toothed comb up to now to find sun-tanned roam-ance for U. S. box office, and most recent of the camera searches comes up with this fanciful tale of oro Sea gypsies who engage in pearling along the Philippines' west bank.

Print is better class than most, without shakes and splotches. It was originally plodding through 110 minutes of scenery which made the yarn sickly, but the scissors have snared 45 minutes for the waste-basket and the result is evident in improvement.

Story is of the semi-barbarous islanders, who still go off on women-hunts when the harem runs low at home or they want to change their luck. There's an old grandpop who rules one of the islands and he has a grand-daughter who has the village juve hearts doing nipups. She catches the eye of a Brigham Young who scepters a neighboring island and when the young men are all away on a pearl dive, he sneaks in and grabs off all the dolls. Lads return in time to square off and get an accounting.

Music woven into the sound track is an eerie sort with a wild tang. Performance is probably best in the hands of the leading man, although the village belle both looks the part and walks through it naturally. Heavy is a little to the tent-rep side, getting clownlike in his efforts to be tough.

Some good diving stuff, too. Picture hasn't any nudes, so wouldn't be wisely sold on that angle, nor will it stand up by itself. It will interest some, but to those it doesn't it's over quickly.

## DARK EYES

### ('Otchi Tchornia')
### (FRENCH MADE)

Frank Kessler release of Milo Films production. Stars Simone Simon, Harry Baur; features Jean-Pierre Aumont, Jean Max. Written and directed by V. Tourjansky; dialog by Jacques Natanson and Jean Feyday; music, Michel Levine; camera, Thirard; sets, Pimenoff. At 55th St. Playhouse, N. Y., week April 18, '38. Running time, 80 mins.

| | |
|---|---|
| Ivan Petrov | arry Baur |
| Tania | Simone Simon |
| Korpof | Jean- ierre Aumont |
| Roudine | Jean Max |

And Dubuse, Jeanne Brindeau, Viviane Romance, Claude Lehmon, Maxudian and Paulais.

*(In French, ith English Titles)*

Around a simple boy loses girl story, V. Tourjansky has woven a picture of agreeable charm, directed by him with high sensitivity. Because of its artistry, it's sure to be a click with the intelligentsia, and in its present quarters ought to do an impressive business for a foreign film. While unlikely perhaps to find too much sympathy from bluenoses, containing as it does a continental course in amorous technique (with aphrodisaiacs), picture is excellent light entertainment which is produced along quality standards.

Simone Simon is the flirtatious adolescent minx who gets enmeshed with a random opera acquaintance, Jean Max, banker and wealthy middle-aged roue. To meet him she waits until her governess is asleep and then joins him in a fashionable Moscow restaurant. Here he takes her into a private salon where he dines and wines her, and all but carries through a seduction par excellence. Simon's rescuer is not her young admirer, seen earlier in the film, but her father who, unknown to her, is the headwaiter in the ultra restaurant. Situation is further complicated by the fact that the banker and would-be seducer is one of the house's best clients. At first Simone is humiliated and infuriated at her father's deception, but when she learns the banker wanted to settle for 50,000 roubles, and when her father's reasons are clarified, all is forgiven. The evening becomes an incident chalked up to growing pains and resulting in better mutual understanding between the two. Boy gets girl shortly after and Simone ends in the arms of her doting and young music teacher (Aumont).

Although there are times when the film shifts over abruptly and when the camera work, although good, could have been better, the film has for the most part great enchantment. Both the start and ending might be cut to advantage. Harry Baur plays two distinct roles. As the waiter he is the absolute model for any class spot. In his home life he is another character, a polished elderly gentleman and the doting father of a daughter whom he seeks to bring up aristocratically.

Simone Simon, in her last icture before trekking to 20th-Fox, sustains her role of the innocent girl out for a lover's lark, with tremendous simplicity and effectiveness. This, plus Baur's acting, and the excellent but occasionally spotty direction, make for an unusual film. English titles make the story perfectly clear.

## YVETTE

### (GERMAN MADE)
### (WITH SONGS)

Berlin, April 18.

Meteor-Film of Tobis Filmkunst. Directed by Wolfgang Liebeneiner. Script, Gerd Hofmann, after Guy de Maupassant's short story; music, Milde-Meissner; camera, Franz Weihmayr; sound, Hans Grimm; editor, W. von Bonhorst. At Gloria Palast, Berlin. Running time, 100 mins.

| | |
|---|---|
| Oktavia Obardi | Kaethe Dorsch |
| Yvette Obardi | Ruth Hellberg |
| Aristide de Saval | Johannes Riemann |
| Jean Servigny | Albert Matterstock |

*(In German)*

Innocence raised in the convent coming up against the ornate sophistication of libertine Paris in the 90's holds the centre of this dramatic super-tale culled from the French. Way-above-the-average product will delight the intelligentsia, but may top the heads of the stolid multitudes.

Coming almost at the end of an exceedingly meagre film harvest, 'Yvette' atones for a powerful lot of disappoint , which had made the German turn wholesale toward French fare. That explains how Sacha Guitry's two experimental pictures, 'Le Roman d'un Tricheur' and 'Les Perles de la Couronne,' running in the original French, could have soared up to record figures.

Wolfgang Liebeneiner, the director of 'Yvette,' has taken a close look at Guitry's technique and makes effective use of it in the opening of his picture where he starts with a lengthy, perfectly silent sequence to accompany the dialog of two men walking through the Paris streets. But here practically all parallel ends. Already Liebeneiner's first fil , 'Versprich mir nichts,' outstripped the play's stage success. ith his second picture this director, who is still in his 20's, shoots up to top places. Rather un-German, he has a light touch and an almost Gallic sense of humor.

New to the screen and completely justifying her being put in the title spot opposite Kaethe Dorsch, who is starred, is the dark, diminutive, sensitive-faced Ruth Hellberg. To the part of Yvette, the convent-bred girl, she brings youth, looks and acting ability. Kaethe Dorsch, as her mother, but more as the woman of easy virtue, gives a really great performance. For the first time on the screen, part and photography do justice to the Dorsch ability, and the result is amazing. With suave pleasantness Johannes iemann takes the sting from his part as the man of the world who believes only in bought love. Yvette's attempt at suicide when she discovers her mother's real profession makes a convert of at least one person, Servigny, the man she loves, played with a warm sympathy by the comely Albert Matterstock.

Neatly filed dialog that caught the spirit of the French original, makes this short story by Guy de Maupassant a corking film script except for the ending, which just misses being maudlin. Franz Weihmayr has accomplished minor wonders with his lens; especially in the suicide visions. Frills and furbelows, two characteristic songs for the Dorsch by Milde-Meissner, sets and novel sound effects label this film as an outstanding product of this year's vintage. *Trask.*

## A DONTO PILLANAT

### ('The Crucial oment')
### (HUNGARIAN MADE)

Budapest, April 18.

Hamzo-Korner-Vajda production, Kovacs and Foldi release. Directed by Laszlo Vajda. Scenario adapted by Janos Bokay from Laszlo Zsolnay's idea. Made at Hunnia Studios, Budapest.

| | |
|---|---|
| Eva Papp | Klari Tolnay |
| Gabor Balint | Antal Pager |
| Kulinyi | Julius aline |
| Ferenc Toros | Andor Ajtay |
| Sandor Tor | Bela Mihalyffy |

*(In Hungarian)*

igher artistic level than most pictures, 'Crucial Moment' shows what an able director and a skillful writer can do if permitted to work without interference from financial backers. This is a co-operative venture, with Vajda, the director, exercising sole authority, and the result is highly satisfactory.

Story deals with a young acting couple who have been touring the provinces without an opportunity to make names for themselves. Husband finally gets a chance to replace the star for a single performance in a hit show, but only after a series of complications. When the young actor makes a hit in the star part, the wife gives up her acting career for him.

Vajda has made a fine picture, especially of the tense last moments before the performance begins at the theatre, rather in the French style, with the excitement reflected in the faces of the stagehands and extras. Grim desolation of the atmosphere in the provincial company is also well done. Pager, playing in a story that resembles the history of his own career, again proves himself a versatile and intelligent actor, and Kabos, for once in a part that is not all burlesque but human and tragi-comic, is exceptionally fine. He plays the provincial manager who, after his complete breakdown, returns to a secretarial job at the big theatre where he can do a good turn to the actor who stood by him in hard times. On the whole, 'Moment' rates far above the local average.

## Unsterbliche Melodien

### ('Immortal Melodies')
### (AUSTRIAN MADE)

Bruno Zwicker release of Tassul Film production. Stars Alfred Jerger, Maria Paudler, Lizzi Holzschuh. Directed by Heinz Paul. Screenplay based on life of Johann Strauss by Hella Moja. Music by Philharmonic Society of Vienna; camera, Carl Kurzmayer. At 86th St. Garden, N. Y., week April 25, '38. Running time, 73 mins.

| | |
|---|---|
| Johann Strauss | Alfred Jerger |
| Maria Geistinger | Maria Paudler |
| Hoslinger | Leo Slezak |
| Lily Dietrich | Lizzi Holzschuh |
| Direktor Steiner | Hans Homma |
| v. Gence | Kurt v. Lessen |
| Ferrandi | Eduard Wesener |
| Nikl | Oskar Pouches |
| Gusil | Silvia de Bettini |
| Fini | Iris Arlan |
| Stefan | Rudolf Carl |
| Brigitte | Annie Rosar |

*(In German, ith English Titles)*

Johann Strauss waltzes are the most distinguished feature of this film. With the Vienna Philhar ic orchestra furnishing the music, the story lilts along pleasantly but more or less inconsequentially, providing a passable entertainment. It should do well enough in the Yorkville and German nabe houses.

Alfred Jerger plays the role of Johann Strauss, the widowered composer, who makes a mistake in marrying an ambitious ballet student, Lizzi Holzschuh, many years his junior. aria Paudler, quietly carrying the torch for Strauss, is brokenhearted and leaves for America, but returns when she hears of his unhappiness. They are happily united at the fadeout.

As with many foreign films, the festive ballroom scenes are the best, showing the pleasant customs and good European manners of another day. Film is charming along standard continental lines, direction and camera work being aver ge. Principal feature of the film, of course, is its music.

## EMIL

### (BRITISH MADE)

lympic Pictures release of Richard Wainwright (GB) production. Features George Hayes, Mary Glynne, John Williams. Directed by Milton Rosmer. Screen story, Cyrus Brooks, adapted from Erich Kastner's novel. At Showshop, N. Y., April 14, '38. Running time, 63 mins.

| | |
|---|---|
| Man in Bowler Hat | George Hayes |
| E il's Mother | Mary Glynne |
| Emil's Grandmother | Clare Greet |
| Emil | John Williams |
| Polly | Marion Foster |
| Gussie | Donald Pittman |
| Professor | Bobby Rietti |
| Flying Stag | icky Hyland |

Over at Charing Cross Emil is probably one of the most daring scooter riders of his age and weight. But he'd better not get lost on New York's 10th avenue. The Hell's Kitchen gang would find an easy mark. Emil is a pleasant, well-mannered little fellow, immortalized by Erich Kastner's novel, 'Emil and the Detectives,' from which Cyrus Brooks adapted the screen story. But for the Showshop's (nee the Artef) initial screen attempt there might have been a stronger vehicle. 'Emil' is much too puerile to seek other than a kid audience.

John Williams is the proper ritis youngster, who plays Emil, and h does it convincingly. Emil's pals are all nice, enthusiastic kids but they don't have the fire and spirit of Gotham's 'Dead End' kids. In short, they're a bunch of sissies.

There's also the man in the bowler hat, a sinister looking fellow, who'd better query Prof. Boris Karloff on the art. He steals Emil's $30 on the train, after first drugging the boy with candy. Then, there's the round-up of the gang, which tracks down the culprit, played by George Hayes, and Emil recovers his six pounds, i addition to receiving a reward capturing the criminal.

Direction and camera below par. Young Williams, however, is a good Hollywood bet.

## VOLEUD DE FEMMES

### ('Woman Thief')
### (FRENCH MADE)

Paris, April 19.

Gallia Cine release of Vandas production. Stars Jules Berry. Directed by Abel Gance. Story, Pierre Frondaie; dialog, Julien Fauve; camera, Roger Hubert; music, Henry Verdun. At the Cinema Madeleine, Paris. Running time, 90 mins.

| | |
|---|---|
| Sodoc Torner | Jules Berry |
| Anita | Annie Ducaux |
| Barchevin | Jean-Max |
| Courtenaye | Saturnin-Fabre |
| Pierrot | Gilbert Gil |
| Mme. Torner | Suzanne Despres |
| Madeleine | lanchette Brunoy |
| Pivoine | Marie-Lou |

*(In French)*

Entertaining blackmail meller, with sufficient suspense and action, this one will pull here and should have little trouble wherever this type of film has a draw. Although there are spots where the Yank censors might frown, the obnoxious could be removed without harming the pic.

As a villain, Berry as usual overacts. He is entirely too slick throughout the film. So moments when he wants to turn on full pressure he has nothing left but mugging. Annie Ducaux is a charmer and turns in an excellent job as the feminine lead. Jean-Max handles the heavy stuff well, doing a masterful job of telling Berry where to get off. Saturnin-Fabre is easily one of France's best character actors. As the fumbling and befuddled old professor he furnishes plenty of light humor that makes excellent breaks in the meller stuff.

Photography is good enough and direction is excellent, showing the experienced hand of Abel Gance. Film moves well, confining itself only to scenes that are necessary to tell the story. *Hugo.*

## L'Allegro Cantante

### ('The Merry Singer')
### (ITALIAN MADE)
### (WITH SONGS)

Rome, April 18.

Juventus Film production. Stars Giovanni Manurita; features the De Rege brothers, Germana Paolieri, Ruby D'Alma, Wanda Gaglielmi. irected by Gennaro Righelli. Songs, Bixio, Fragna, Frustaci.

*(In Italian)*

This is very light, the plot is mostly nonsense, and the whole thing is chiefly an excuse for the tenor Giovanni anurita to sing.

Story is about a man who has a wonderful voice, but whom nobody has discovered as yet and who makes his living working with a horse show outfit. When he hears that some of his friends are trying to find the father of a little niece of theirs who was born out of wedlock, he throws himself wholeheartedly into the search to help them. Then he finds that the illegitimate child is his and is delighted to discover she is heiress to 7,000,000 lires worth of shares in a mine.

All this seems too good to be tru , and it is. For the next discovery is that the mines are full of water and the stock's value has sunk to exactly 20 lire. But here our happy singer proves that nothing can get him down. In the course of the search for the little girl's father he also discovered a man who would back his singing debut, and the end of the pi sees our hero singing his way to fame and fortune across all the opera stages of Europe.

This is tenor Manurita's He is starting on secon mont

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# SAG CONTRACT REVISIONS

## NEGOTIATIONS ON; AXE 3,000 EXTRAS

### elinquent Members to Be ropped from Jr. Guild —Purge Is to Protect the egulars—50% Slash

### REORG THE ACADEMY

Hollywood, April 26.

First real slash in membership of Junior Screen Actors Guild is scheduled to begin week of May 1 when next quarterly dues become payable. Hundreds of delinquent extras who rushed into organization when Guild shop contracts were okayed by producers June 1, 1937, will be expelled. Others to be dropped from membership rolls include those who have been delinquent 12 months, regardless of when they joined.

Many extras are now working on three-day work permits. Scores of others have been barred from appearing before the camera because of delinquency and failure to apply for work permits. This will be first move, however, to purge ranks permanently of delinquents, chiselers, runners and occasional players.

Lists will be checked permanently n instructions from Robert Montgomery, SAG president, and Kenneth Thomson, executive secretary, to eliminate possibility of a hardship being worked upon any 'old timers.' Many of latter fell behind in dues payments during recent production lull at major studios. Thomson said every courtesy possible will be extended by the Guild to players who depend upon the fil industry for a living.

When purge is completed it is likely that membership of junior division will be reduced to less than 6,000. This will mean a cut off of about 50% from a high of nearly 12,000 last summer. Membership will be held to a minimum in the future, as the SAG recently invoked a closed shop for extras and the move was promptly approved by all the studios.

**Negotiate On Contract**

The Guild is now negotiating with the producers on amendments to the present basic minimum contract. Most of the actors' requests have been for improved working conditions, more strict interpretation of contracts, commitments, etc. Reclassification of certain extra brackets, however, automatically will increase earnings of many extras and lower bracket players.

Thomson estimates it will require about three weeks to complete negotiations. When draft of new amendments is okayed by both sides membership will be advised of changes. Contract provides that in event of disagreement between the negotiators on hours and wages, these items may be submitted to arbitration. Last huddle between negotiators was held yesterday (Mon.), with Montgomery and Thomson directing parley for actors, and Edward J. Mannix, etro general manager, heading the producer negotiators.

Tilt between Republic ictures Corp. and Phil Regan over $18,000 the actor claims the studio owes him on contract cancellation is being investigated by the Guild. SAG tops became interested when it learned of criticism of various players and that move was under way by Guild members as individuals to refuse calls to Republic unless amicable settlement is reached with Regan.

Regan asked for release from his contract some time ago but request was nixed. Actor then went east on a personal appearance tour, and while away his agent was notified by Republic that the Regan contract had been cancelled. Asked by Guild about cancellation, Republic executives replied that the player was 'hard to handle.'

Attorneys for Regan filed suit in superior court for the $18,000. Action has now been transferred to federal court. Regan claims he signed contract calling for four pictures at $9,000 each, and that contract was cancelled after he had completed two of them.

**Pay Up On 82 Clai**

ild machinery for adjusting pay claims between actors and studios has been speeded up until adjustments are now made within a few days after they are received. A total of 114 claims were received by the Guild during March and 82 were promptly paid. About 250 persons were involved.

First edition of the Bulletin of the Screen Actors Guild made its appearance last week. Publication is successor to Screen Guild magazine, which was discontinued to cut down operating expenses. Bulletin, carrying notices of various Guild activities, carries no advertising. First edition published 16 pages.

Negotiations looking toward producer recognition of the Screen Directors' Guild were renewed last week when a preliminary discussion of situation was held at 20th-Fox between committees headed by Darryl F. Zanuck and Frank Capra. Edward J. Mannix and Pandro Berman sat in with Zanuck, while other members of SDG committee were Eddie Sutherland, Gregory LaCava and John Ford. Another huddle probably will be held l t of this week.

Session was arranged on request addressed by Guild to Joseph M. Schenck, president of the Association of Motion Picture Produces, Inc. Meeting of the Association board okayed the request for a parley and Schenck appointed the committee headed by Zanuck.

Discussion was general, with the producers offering to listen to any proposals the directors cared to submit. The Capra committee expressed satisfaction over the attitude of the producers and said they would report back to the board of directors of the SDG to see if proposal for a working contract could be drafted on which an equitable agreement might be reached.

**No Action on Split-Up**

Former demand of producers that SDG be divided into two organizations, one composed of directors, and the other of unit managers and assistant directors, was not discussed at this huddle. When SDG members nixed request of producers to divide membership, a petition was filed with the National Labor Relations Board asking that the SDG be designated bargaining representative for the directors, unit managers and assistant directors. Petition is now awaiting formal hearing.

A petition asking the National Labor Relations Board to reopen the Screen Writers Guild case and appoint a trial examiner here to receive evidence pertaining to the California incorporation has been filed with the NLRB by Leonard S. Janofsky, counsel for SWG. Janofsky said action was taken when Neil S. McCarthy, attorney for the Screen Playwrights, Inc., refused to stipulate facts could be entered in the record.

Move was prompted by desire of SWG to have name of organization appear on election ballots, if NLRB orders one, as Screen Writers Guild, Inc., instead of its old name of Screen Writers Guild of the Authors League of America. Granting of petition also will give the Guild an opportunity to present any new evidence it desires.

In effort to avoid any delay in handing down a decision on the request of the SWG for an election of writers to select a bargaining representative, Janofsky suggested the hearing be held between the date of decision and the date of any election which may be ordered.

Janofsky asked permission to introduce following facts into the record when a trial examiner is appointed:

'March . 1938, Screen Writers Guild of the Authors League of America was incorporated in California under name of Screen Writers Guild, Inc.

On or about April 5, 1938, a new constitution and by-laws theretofore voted upon by the Authors League of America, Inc., and by members of the Screen Writers Guild of the Authors League of America was adopted for the Authors League.

**Autonomy Established**

ils of the consittution, which was made a part of the petition, will show that the Screen Writers Guild has been granted complete autonomy from the Authors League of America. It was latter connection which led to original split in SWG at time SP was organized.

Screen Publicists Guild and Screen Set Designers have filed petition with the National Labor Relations Board charging roducers have refused to negotiate working agreements with them. SPG asks to be designated bargaining representative for all studio flacks, while SSDG makes same plea for set designers.

Herbert Sorrell, siness representative of Motion Picture Painters' Local 644, has recalled his resignation. Action was taken after membership voted him a wage tilt, two weeks' vacation with pay, and rescinded order that Columbia studios could not employ apprentice painters okayed by Sorrell.

ork of reorganizing the Academy of Motion Picture Arts & Sciences will be start this week by a revamping committee. Members are W. S. Van Dyke, chairman; Major Nathan Levinson, Lionel Atwill, David O. Selznick, Frank Lloyd, Howard Estabrook and Grover Jones. Frank Capra, Academy president, and Donald Gledhill, executive secretary, are ex-officio members.

First work of revamping will be to reduce membership from present five branches to two divisions. The present divisions of one each for act , writers, directors, producers and technicians, will be combined in two grou One will be composed of the actors, writers, directors and producers. The others will have all members of the technical division as members.

Academy executives explained the main reason for the reorganization was the recent formation of Guilds by the actors, writers, directors, etc. This relieved the Academy of many of the functions wished on it in the early days, since all work negotiations are now handled by the Guilds for its individual membership. The Academy formerly represented the various crafts in dealings with the studi and often served as mediator in disputes.

**romoting the Arts**

The reorganization, executives said, would place the Academy in a position to carry out its original purpose, the fostering and promotion of the arts and sciences of the motion picture business.

Present membership of the Academy is 800. Whether eligibility requirements to be set up by the revamping committee will increase or decrease this number is one of the questions to be threshed out within the next two weeks.

President Capra presided over the reorganization session, which okayed appointment of a revamping committee. In addition to committee members others present were Fred Leahy, Jane Murfin, John Arnold, Pandro Berman, Samuel Briskin, Raymond Hatton, George Irving, B. B. Kahane, Mitchell Lewis, J. Farrell MacDonald, Joseph M. Schenck, Eric Stacey, Ray Wilkinson, Darryl F. Zanuck and Graham Baker.

Reopening of that Screen Writers' Guild case against the producers was ordered by the National Labor Relations Board, with date of hearing set for May 5.

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Officials of Motion Picture Laboratory Technicians Union, Local 702 of the International Alliance of Theatrical Stage Employces, last week presented contract demands to Alan Freedman, president of De Luxe Laboratories, N. Y. Demands include closed shop, 35-hour week, $25 weekly mini vacations and overtime.

Union previously asked about 15 New York laboratories to negotiate with the union as a bloc to expedite negotiations, but received no replies and is therefore seeking individual contracts.

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## Talbot Wants His

Hollywood, April 26.

Lyle Talbot entered a claim for $3,500 against Ambassador Pictures, now in bankruptcy, asserting the money was due under a contract with Maurice Conn, president.

Clai is based on a two-week guarantee at $1,750 p week, as specified in the pact.

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## 4th Annual Variety Clubs Conv. Drew 650 at $10; Reelect Slate

he ba Sunday (24) night which cli the two-day, fourth annual convention of the Variety Clubs of America, held in the Netherland-Plaza, was attended by 650 members and guests, half of the number being from out of town and setting a new high for visitors. Tariff was $10. Business calendar was cleaned up in three sessions on opening day. Chief item was reports on varied charitable activities of the organization's 17 tents, total for which during the fiscal year was announced as $150,000. Pledges were made to swell the amount to $225,000 for the 1938-39 period.

Principal officers were reelected: John H. Harris, Pittsburgh, national chief barker; M. R. 'Duke' Clark, Columbus, and John J. aloney, Pittsburgh, assistant chief barkers; James G. Balmer, Pittsburgh, dough guy, and Frank Drew, Cleveland, property man.

By-laws were changed to expan the canvassmen, allowing one representative from each tent. Those elected: John T. McGreevey, Pittsburgh; Allan S. Moritz, Cincinnati; Ray Colvin, St. Louis; Henderson Ritchie, Detroit; M. B. Horwitz, Cleveland; Jacob. Lavene, Buffalo; Richard R. Biechele, Kansas City; Marc Wolf, Indianapolis; Louis Rome, Balti ; A. Julian Brylawski, Washington; Al Steffes, Minneapolis; Earl Sweigert, Philadelphia; Charles Trampe, Milwaukee; Harry Shumow, Omaha; Roy Wells, Dayton, and Bob O'Donnell, Dallas.

Charter of the Des Moines tent was withdrawn. Detroit was selected for next year's big top roundup.

**New Members**

Among motion picture execs present were William Rogers, M-G; Ned Depinet, RKO-Radio Pictures; Major L. W. Thompson, RKO Theatres; William Sussman, 20th-Fox; Lou Weinberg, Columbia Pictures; Sam Dembow, Jr., Fauchon & Marco Theatres; George Dembow, National Screen Service.

Speakers at the dinner were Senators Robert J. Bulkley and Alben W. Barkley of Ohio and Kentucky; former Governor Harold G. Hoffman of New Jersey, and Governor Martin L. Davey of Ohio. Mayor James G. Stewart of Cincinnati delivered the welcoming address, and his predecessor, Russell Wilson, was toastmaster. Radio pickups were made by WSAI and WKRC.

Variety show, one of the best ever offered in Cincy, ran two hours. Johnny Perkins was ringmaster. Hugh Herbert, brought on as the star entertainer, was only disappointment in the large talent array. He told two brief stories at the speakers' table and took no part in the stage show. His salary w $1,000, plus agent's commish an traveling expenses.

Acts were Irene Vermillion with Kermit Dart and his trumpeteers; Four Franks, Paul and Nino Ghezzi, Four Mangean Girls, Prof. Lamberti, Diane Denis , Joe and Jane McKenna, Peter Higgins, Jimmy and Mildred Mulcay, Oxford Boys, Truly Judson Girls, and Cali Cali. usic was by Jack Sprigg's 18-piece orchestra, from the RKO Shubert, which did a swell job.

Allan S. Moritz, past chief barker of the Cincy tent, was general chairman of the convention; Colonel A. M. Frudenfeld and Noah Schechter lined up the show.

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### Cuffed Around

Hollywood, April 26.

iller, former operator of Universal's studio restaurant, is on a cuffer hunting expedition. Quarry is a flock of actors who cuffed their meals to the extent of several C's.

iller armed himself with court summonses when he saw the cuffers spending in the local iteri

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## SEC. DAN ROPER PRAISES PIX TO SMPE

ington,

Artistic and scientific development of the motion picture industry was prai onday ( ) by Daniel C. Roper, Secretary of Commerce, at the opening luncheon meeting of the Society of Motion Picture Engineers.

Addressing the conference as 'a group of men whose scientific thinking comprehends word-wide developments,' Roper traced the rapid progress made in the technical advancement of the film industry and called attention to the importance of motion pictures as an instrument of good will among nations.

In its latter capacity the industry 'inevitably creates impressions that have potentialities for good or evil,' Commerce Secretary warned.

'Producers and artists should thus maintain a constant awareness of the impressive influence of their art to the end that the danger of creating misconceptions of American standards of life will be minimized,' he declared. 'The American film has thus become an influential missionary and emissary, whose objective must transcend its entertainment qualities if it is to fulfill properly its mission of constructive service.'

Importance of films as an agent for other American goods was mentioned by Roper, who said that the growing popularity of American pictures in foreign lands created a demand for other typically U. S. commodities that appear in pictures 'in the way of incidental stage settings.'

Commenting on the work being done by the Motion Picture Division of the Department of Commerce and the technical contributions being made by the National Bureau of Standards and the Patent Office, Roper declared that these Government units not only encourage inventors and protect their discoveries but pursue research that is helpful in pointing the way to improvement in the scientific standar ..

'Ours and other nations have a right to expect that the best and not the worst will be emphasized in the picture education,' he said in conclusion. 'It needs to be a forceful purveyor of truth: a faithful ambassador of good will; a physician to heal ill through correct diagnosis of domestic and international human relations. It is the eye, the ear and the mouthpiece for all peoples, and my faith is that producers sense their great responsibilities to society and will justify their leadership for this great and growing American industry.'

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### J. P. McEVOY EAST

Hollywood, April 26.

J. P. McEvoy pulls out this week for New York, having finished his stint on the Shirley Temple current item, 'Lucky Penny.'

Picture went into production last week, with cEvoy polishing off added scenes of the script, particularly those of Joan avis and Bert Lahr, termed as co s in support of Shirley Temple.

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## Mooney's Crime Series

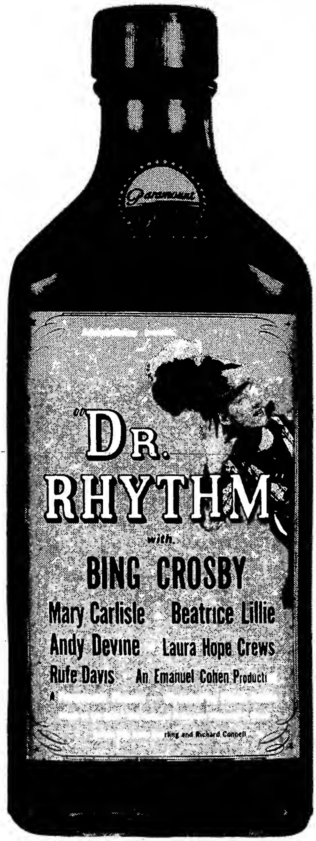
Hollywood, Apil 26.

Republic assigned Martin Mooney to write a series of stories und the title, 'Crime Reporter,' b on his own experience news-paper scribe.

Each story will deal with an outstanding crime in Mooney's collection. ork on the series will start when he finishes present job 'Key itness.

# SPRING TONIC

***Improve your digestion. Soothe your nerves... with Old Doc Crosby's colossal customer compound, most potent box-office builder-upper ever devised . . . Paramount's "DOCTOR RHYTHM"***


Paramount
"Dr. RHYTHM
with
BING CROSBY
Mary Carlisle Beatrice Lillie
Andy Devine Laura Hope Crews
Rufe Davis An Emanuel Cohen Producti
A
rling and Richard Connell

## Read what the Old Doc himself has to say

"Yes, sir, 'Doctor Rhythm' is the perfect panacea, the magic elixir to pep up Old Man Box Office. Of course I wouldn't want to lay it on too thick. But when it comes to comedy, 'Doctor Rhythm' has what it takes. Beatrice Lillie, England's gift to the gayety of nations, is, to coin a word, tremendous. Andy Devine gives out with that Devine foolishness of his. And your old friend, the Doc, manages to tear off a couple of dozen mild jests of his own. On the sentimental side, Mary Carlisle is a lovely little bundle of happiness. And the music, including 'On the Sentimental Side' sings mighty fine. Yes, sir, 'Doctor Rhythm' is what the doctor ordered."

Doc Crosby

## Here's what Paramount's "DOCTOR RHYTHM" does...

BEFORE TAKING

"I was feeling awfully lousy. I had just been bitten by a seal and you know how that makes a guy feel. So the old Doc asks me to take a look at this 'Doctor Rhythm' and I actually laughed at myself... not to mention the rest of the swell cast of the funniest picture of the year. Now I feel fine."

Andy Devine

AFTER TAKING

### The Seal of Public Approval

"Swell musical—a solid hit."

*—Hollywood Reporter*

"A slam-bang hit from start to finish."

*—Motion Picture Daily*

# BANKO'S SUMMER BULL MKT.

## Cowboy Fans in Rogers' Home Town Wish There Were 52 Buck Joneses

By JOHN C. FLINN

Claremore, Okla., April 26.

They're getting ready this week to break ground for the erection of the Oklahoma State Memorial to Will Rogers. All the plans are finished and Col. H. Tom Kight, old-time resident, friend of Rogers and Clem V. Rogers, the comedian's father for whom the county was named, has pushed the appropriation through the legislature. The cost of the memorial, which will be in the nature of a rambling ranch house, built of native stone, will run to $230,000, of which the state is providing $200,000, and Rogers' Memorial Committee the balance.

In the 20 odd years when Rogers was traveling, first as an actor in vaudeville, then musical comedy, and later as speaker, writer and commentator, he collected trophies from all parts of the world. Always an enthusiast over historical documents and records of human interest, his personal museum outgrew the building on his ranch at Santa Monica, Calif., where he stored his relics. Mrs. Rogers and some of her friends have collated and indexed the exhibit, which will be preserved in the memorial ranch house here. Some of the data pertaining to the opening up of the Indian Territory is said to be invaluable.

Claremore is a right smart western town, with a population of about 3,500, three brick business blocks, several national banks and half a dozen hotels, of which the Will Rogers Hotel is the largest and most modern. Rogers attended the opening of the hotel which carries his name and which is owned and operated by Morton R. Harrison, who is chairman of the state memorial committee. Rogers' dedication speech is printed on all the pamphlets. In the course of his remarks he said, 'Now I know how proud Christo Columbo must have felt when he heard they named Columbus, Ohio, after him.'

Night life in Claremore is confined to the electric piano at the Colonial lunchroom, pin-ball games in the lobby of the Will Rogers Hotel and the barber shops, which stay open until 9 o'clock, and motion picture entertainment at the Yale and Palace theatres, both chain theatres operated by the Griffith enterprises.

The Yale, 700 seats, gives the customers five changes of programs weekly, single bills, with full bookings of one and two-reel shorts and most of the news services. The Palace is open only weekends and the attractions are western and action pictures exclusively. The audience is chiefly cowboys and their girl friends, and the wilder and woolier the western, the better they enjoy themselves. Buck Jones currently is the prevailing favorite and the squawk is that he makes only 10 films a year. The doorman said the house could use 52 Jones features.

**Typical American Town**

Film likes and dislikes in Claremore represent an honest cross-section of the American motion picture audiences in small towns west of the Mississippi. The Yale theatre is established as one of the town's public institutions, just like the new post-office which the Democrats have built. Fred Jackson is the manager of the house, and although he is on the short side of 40 years, he has been in and around the film business in Claremore and other Oklahoma towns since 1915, when his father, Albert Jackson, and L. W. Brophy first built and operated houses in what were real frontier towns at that time. The younger Jackson remembers first bookings of Sarah Bernhardt in 'Queen Elizabeth,' which was sold in this territory by A. D. Flintom, of Kansas City, who had the states' rights.

'Yale theatre stands right on the site of the livery stable owned by Will Rogers' father,' said Mr. Jackson, 'and the adjoining plot, now occupied by the post-office, was the wagon and carriage yard.

'Will's home folks take a keen interest every year in the national drive through film theatres for funds to support the Will Rogers Memorial Hospital at Saranac,' said Jackson. 'Of course, chief local interest is in the state memorial which is going up right here in the town, but the idea of the hospital, under permanent endowment, equipped to care for the ill of the theatrical profession, appeals strongly to everyone in Claremore who knew Rogers and understood his affection for people of the stage. We did right well last year, and look for substantial support when the national drive opens on April 29.'

Colorado Springs, April 26.

Spencer Penrose, Colorado Springs, multimillionaire, who built the Will Rogers Memorial Shrine of the Sun on Cheyenne mountain near here, has approved plans for a Will Rogers Memorial Stadium, which he is erecting near the Broadmoor hotel here. The stadium will seat 10,000. To be used for outdoor events of all kinds.

Dedication of the stadium will be during the second annual Will Rogers Memorial Rodeo to be held this year Aug. 19-21.

### Slightly Synthetic

Hollywood, April 29.

Chinook, 17-ton sea-going fishing boat, has been re-floated in Paramount studio's newly-completed half-acre outdoor tank. Three other similar vessels will also sail in the pool, built at a cost of $20,000. Scenes are for 'Spawn of the North.'

## PAR MERGING SALES SETUPS

With resignation of Percy A. Bloch, Paramount district manager in the Philadelphia zone, and the departure on an indefinite leave of absence of Myke A. Lewis, Pacific Coast district chief, who may not want to return due to ill health for sometime now, a somewhat changed Par sales upervising map is shaping.

No successor will be appointed to Bloch, the Philadelphia and Washington zones formerly under him to be attached to the New York district of Milt Kussel. Latter will also continue to handle Albany and Buffalo exchange territories, however, under present plans.

The Par exchange at Columbus is being closed around May 1 with its territory to be consolidated with the Cleveland exchange. There may be some changes or switching in a few other spots, also.

Par does not know whether Lewis will return after his rest or not, everything being dependent on the state of his health. In the meantime, George Smith, assistant district manager over Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver exchanges, is in charge.

## Blank's 'Birth of Baby'

'Birth of a Baby,' passed in Ohio and by the National Board of Review, has been sold on a deal with the Tri-States circuit in Iowa and Nebraska, operated jointly by Paramount and A. H. Blank.

Minnesota Amusement circuit (also Par) in the northwest took it on a circuit-wide deal following an independent opening at the Lyceum, Minneapolis, where it set a record.

### CHALKED IN

Hollywood, April 26.

Humphrey Bogart is slated for one of the top roles in Warners' 'Chalked Out,' based on a story by Warden Lewis Lawes.

Film goes into May production.

## N.Y. NABES SEEM TO FAVOR IT MORE

### Same Goes for Other Key Cities—Postal Restrictions Are Ducked by Not Advertising—Toys for the Kiddies as Gambling Lure

### 125TH ST.'S CROSSLEY

Cash prize games continue unabated in major circuit theatres and in independent houses throughout the metropolitan New York area and probably will break out in numerous additional theatres during the summer season as added inducements to bolster business. Though bank nights are not used in as many houses as in recent years, Screeno, Jumbo, Jackpot, Ten-O-Win, Banko, Bingo, Sweepstakes, Line O, Bango and kindred contests for money still hold forth in scores of film theatres in Greater New York.

Recent check indicates that exhibitors in New York as well as most other key cities will employ money games as long as patrons indicate any desire for them, and as long as not interfered with by the courts. Postal rulings against games of chance, long in effect in many states, are not ignored but blithely ducked by exhibs by not sending reference to chance contests through the mail.

Screeno or similar cash games are being used on one night or another in more than 60% of the RKO theatres in Greater New York. Coin contests with element of chance involved in some way are nearly as popular with Loew circuit houses in same area. Ten-O-Win has been adopted also in a number of RKO houses.

Major circuits have been able to withstand independent competition in chance games thus far by holding contests only on two or three nights weekly. This is in contrast to indie theatres, some in actual competitive districts, which stage the games nearly every night in the week and often at matinees.

The nabes are the most popular spots for such contests. Check made of 125th street recently revealed that every straight picture house from river to river had some type of chance game in operation. Numerous ones had the contests afternoon and night.

Theatre using bango attempted to confine it to five matinees weekly, with special stunt Saturday night. Loew's 125th was offering around $2,000 in screeno prizes. RKO Proctor's presents Ten-O-Win Monday, Wednesday and Saturday evenings, with an all-girl show on the stage Friday nights. Jackpot Bolita was the contest used by a house in a Spanish neighborhood. Sunset had Sweepstakes in the afternoon; admission 10c.

Smaller houses on Eighth avenue and on Ninth near the downtown area also encourage extra patronage with chance contests. Games predominate in the Bronx and the Brooklyn-Queens area.

Ultimate in these money contests was reached in an uptown theatre which invites juvenile patrons to play the 'games the older folks play' for toy dwarfs.

## Pathe's Slate

Officers and directors were elected yesterday (Tuesday) at the annual directors' meeting of Pathe Film Corp., which was held at the same time as the annual stockholders' meeting. O. Henry Briggs was re-elected president while T. P. Loach moves up to v.p. and treasurer. M. M. Malone named secretary and A. F. Schwarz asst. secretary.

Directors reelected: Briggs, Henry J. Guild, G. W. Wattles, Robert N. Young, Robert M. McKinney, Louis Philips and Charles A. St[illegible] comprising entire directorate.

## 'Snow White's' 12,000-15,000 Contracts Augurs a New Domestic Sales Record

Although a lot of the tank towns won't play 'Snow White' for a while yet, following runs up ahead and protection that's as much as 90 days, in the smaller spots so far reached by the Walt Disney cartoon the business is relatively better than in the large and secondary keys. In the so-called $7.50 situations so far playing 'Snow White,' the gross is running three times the average business.

A curious feature of the cartoon, a natural for publicity, is that in various towns played to date there seems to be no saturation point. There are some instances where the number of persons played to has virtually equalled the population, this being accounted for no doubt by the fact that it is drawing strongly from the farms and countryside, getting business that seldom comes out of hiding. A theory advanced by RKO sales executives, also, i that apparently some people are seeing the picture more than once.

Another strange development is the fact that repeat bookings are already being played, while arrangements in numerous cases have been made for options on repeats, particularly over holidays such as Thanksgiving and Christmas. The picture is already back in the Park, Reading, Pa., on a repeat, although it had ended a four weeks' first run there on March 9. Another unprecedentedly quick repeat is in Buffalo. Although playing to 150,000 people on a three-week run at the Great Lakes there, ending March 25, it was brought back for Easter week, being placed in the Century.

Based on the expectation of repeats, it is estimated that a total of somewhere between 12,000 and 15,000 contracts will be written for as many individual engagements within a year from now, a record.

The number of contracts to date is not so great since exhibitors in the subsequent run field, playing pictures 60 to 90 days behind prior runs, are stalling. RKO is selling the picture on percentage only, this in part causing the stalling by down-the-line subsequents and very smallest of towns also suffering from protection restrictions. In addition to some fear that when they get the picture, it will be milked pretty dry, such accounts are no doubt being slow to sign in hopes of getting better percentage deals when picture becomes available.

**Run Out of Press Books**

First time in RKO's annals a second edition of a pressbook becomes necessary, 'Snow White' being the cause. Once before RKO ran out of its stock print order of 15,000 on 'Little Women,' but no reprint was necessary. When 'Cimarron' was reissued, a revised edition was gotten up several years after the original release. Just as still another reissue this summer of 'Cim' may necessitate a 1938 edition of a condensed pressbook.

But with 'Snow White,' due to the extraordinary interest and the unusual number of playdates, this is the first time the pressbooks were exhausted while the film was being initially released. The new edition will be abridged, since the pic is now hitting the subsequents.

### NICHOLS' KHAKI KID

Hollywood, April 26.

Direction of 'Army Girl,' to be filmed by Republic as a special, will be handled by George Nichols.

Picture gets the go signal

### Lots of Amusement

Lincoln, April 26.

Amusement biz is in stride here at the present time. Three big dance halls, nine downtown theatres, an amusement park to open around May 15, and tent stock going in for the summer about the same time.

Parker & Watts circus is also set for May 16.

## BANK NIGHT CO. TO APPEAL P. O. BAN

Denver, April 26.

In fighting the fraud order under which Affiliated Industries, Inc., owners of Bank Night, were barred from the mails, the first move will be to appeal to the post office for a rehearing on the case.

If this is denied other means will be used to attempt to have the order vacated, the first move expected to be to apply to the courts for an injunction.

Montreal, April 26.

Barred from the mails in the United States, Affiliated Enterprises, Inc., Denver, holders of patents on bank night, was also barred from Montreal theatres when Recorder Plante reached the conclusion that they are lotteries. Roland Cardinal, of the Theatre Canadien, was fined $50 and costs when found guilty of operating a lottery in a case to test the legality of banko in this city.

Robert Delaney, manager of Theatrical Activities, sponsor of bank night in Canada, sought to prove that Cardinal, a licensed banko operator, was not running a lottery but a bona fide advertising scheme, pleading that holder of a lucky number signed a contract to give the theatre favorable publicity before receiving a cash award. Recorder Plante upheld contention of Armand Page, city attorney, that the scheme contained the elements of a lottery.

Philadelphia, April 26.

Three judges of Common Pleas Court No. 1, sitting en banc yesterday (Monday) to hear argument on a bill of exception from ruling handed down by one of its jurist members earlier this month, indicated it would uphold the decision declaring all games a lottery and illegal in this state.

Opinion applies not only to film houses, but to bingo played for prizes in churches and fraternal organizations as well. Games are still being played here, nevertheless. Police, on advice of city solicitor, are taking no action to stop them until their legality has been completely threshed out in the courts.

Yesterday's hearing followed original decision on the case by Judge Harry S. McDevitt. It was on an injunction asked by Sam Somerson, operator of the Palm theatre, against the mayor, director of public safety and chief of police to restrain them from interfering with the games in his house. He was warned in February, 1937, to cease playing them. Case has been pending since then. It is the first full legal test in Pennsy and considerable importance is attached to it.

Although the three judges reserved decision yesterday, as is customary, it was clear from their questions that they intended to back McDevitt's opinion. They scoffed at the contention of avid S. Malis, Somerson's attorney, that the games are merely an advertising scheme to attract patronage. Judge Joseph L. Kun remarked: 'What a beautiful racket it would be if that theory were right.'

Effect of P. O. Department's recent ruling on banko, in which it was implied that the right of the owners of the copyrighted name to collect for its use in theatres was dubious, was divulged publicly at an exhib meeting last Thursday.

Art England, distrib in this territory, when asked to chip into a fund to defend the games in court, got up and declared that of the 50 to 60 exhibs using banko practically all have ceased paying their bills to him.

# HERE ARE FOUR TOP FAVORITES OUT-GROSSING FIRST RUNS IN TEST ENGAGEMENTS ALL OVER THE COUNTRY!

## 1 ALL QUIET ON THE WESTERN FRONT

Twice as timely NOW! Every word of the title super-charged with interest by daily front page events.

## 2 LADY TUBBS

Comedy smash that's pulling them in like magic in a dozen test spots! With Alice Brady, Anita Louise, Alan Mowbray and Douglass Montgomery.

## 3 FRANKENSTEIN

The top grosser of them all! The Power Thriller they can't resist! Karloff! Colin Clive! Mae Clarke! Boles!

## 4 LOVE BEFORE BREAKFAST

with CAROLE LOMBARD, the comedy and star a delighted nation went crazy over!

*Accessories now available at your local Universal Exchange*

*Here's one of a hundred messages from tickled exhibitors!*

ESKIN AMUSEMENT ENTERPRISES

Mr. F. J. A. McCarthy
Universal Pictures Company,
Rockefeller Center
New York, N. Y.

Dear Mr. McCarthy:

Just a line to advise you of the results of the show which you selected for me in Bethlehem, namely, Frankenstein and Love Before Breakfast.

The business was in my opinion very satisfactory. You may unreservedly tell your men in the field, if you wish, to sell this show to the exhibitor as a unit, that it did for me more than 75% in excess of business ordinarily done in my theatre. Not only was the business highly satisfactory, but the show combination proved excellent entertainment. You understand, of course, that all of this was without any of the sensational publicity and advertising that "Frankenstei " riginally had when you first released it.

In conclusion, I feel certain that no exhibitor would make a mistake in booking this show. The chances are that it will out-gross most of the attractions being played.

incerely yours,

(Signed) Har

UNIVERSAL PICTURES

## RELEASED NATIONALLY MAY 15th —YOUR UNIVERSAL RE-DATE FOR PROSPERITY!

# Par's Consolidated Net Earnings For Year, $6,045,103; Other Divvys

Annual report of Paramount for fiscal year ending Jan. w- ing consolidated earnings the year, after all charges and reserves, , , was released Monday (25), together with a report of Barney Balaban, president, to the stockholders. In his report Balaban stated that approximately $625,000, representing Par's net interest as a stockholder in combined undistributed earnings of partially-owned subsidiaries, is not included in the consolidated statement.

Deduction of $1,180,090 in dividends on the first and second preferred stocks, the year's earnings were equal to $1.97 a share on the 2,465,900 shares outstanding as of Jan. 1. Were the earnings in partially-owned subsids included, the profit would be equal to $2.22 a share on the common shares. There has en no dividend on the common so far, this having been passed at the last dividend meeting.

addition to subsidiary earnings accruing to Par, also not included in the annual statement is $1,652,000 which was credited to the General Reserve account, including the settlement in 1937 by the reorganization trustee of the directors' suit for some $13,000,000. Notes of $492,500 and $150,000 realized on the sale of a parcel of real estate, is included in the $1,652,000 going to the General Reserve account.

During 1937 there was a reduction in consolidated interest expense of $749,985, due in part to conversion of securities in Par and rate reductions on bond and mortgage indebtedness.

The balance sheet for 1937 shows cash and marketable securities on Jan. 1 last of $10,153,628, of which $2,680,827 represented balances in Great Britain and dominions, and $110,677 in other foreign countries. Total inventory amounted to $22,884,780, current assets to $37,410,988 and current liabilities $10,520,474, leaving net working capital of $26,890,514, an increase during the year 1937 of about $4,000,000.

During 1937 holders of $6,861,200 of first preferred and $886,500 of second preferred converted their stocks into common.

In his report, Balaban stated that during the year (1937) further progress was made toward simplifying the corporate structure of the company and that this work is being continued.

He also reported that permanent consolidation effected with A. H. Blank in the middle west on a 50-50 Par-Blank basis, eliminating the old repurchase option held by Par.

**Loew's Net, $6,487,678**

Loew's, Inc., net profit for the 28 weeks ending March 17 was more than $2,100,000 lower than for the first two quarters ended March 11, 1937. Company showed $6,487,678 net for the first two quarters in its fiscal year or $3.76 per common share as against $8,606,1 or $5.26 in comparable quarters ending in March last year.

The Loew's statement showed earnings of $47.45 on preferred for this period ending last month as compared with $62.95 for the same two quarters in the preceding year.

Company's share in operating profit after subsidiaries preferred dividends amounted to $9,807,339, as against $12,390,097 in the first two quarters of the preceding fiscal year. Despite this dip of more than $3,500,000 in operating profit, Loew's was able to show little more than $400,- reduction in taxes and depreciation figure. As a result, more than $3,300,000 had to be deducted from the total operating profit before the net profit could be shown.

Net earnings for Paramount in first quarter of present year ending pril 2 totaled $830,866, as against $2,011,000 in initial quarter last year, according to official announcement made by company last year. The first quarter earnings this year re equivalent to 22c on the common.

The net includes direct and in- irect net interest as a stockholder in combined undistributed earnings for the quarter of partially owned non-consolidated subsidiari , an mount fixed at 06,000. Para- iount estimated per common share arnings after deducting $296,523 for ividends on both classes of preferred shares.

Company statement revealed that 142,172 shares of $100 par value first preferred and 555,101 shares of $10 par value second preferred shares were outstanding as of April 2 this year.

First quarter earnings statement, due out next week, for Consolidated Film Industries is expected to compare favorably with the initial three-month period last year. Consolidated biz has held well and has nefited indirectly through heavy returns made in recent weeks by Republic on its serial and feature releases. year.

Keith-Albee-Orpheum directors last week declared dividend of $1.75 on its preferred, payable July 1 to stock on record June 15. The divvy is supposed to cover the quarter ending June 30, 1935, being paid out of capital surplus.

**B&K Best in 7 Years**

Chicago, April 26.

At the annual meeting of stockholders of the Balaban & Katz Corp. last week W. K. Hollander, head of advertising for the circuit, was named to the board of directors of the company, succeeding Charles A. McCulloch, resigned.

Report of earnings at the meeting revealed that B&K, in 1937, had its best year since 1930. Earnings for 1937 totaled $2,183,301, compared to earnings of $1,874,308 in 1936. The 1937 earnings equal, after preferred dividend requirements, $7.92 a share on the 264,206 shares of $25 par value common stock, and compare with $6.74 on the outstanding common the preceding year.

Expenditures of $746,5 for modernization and rehabilitation of theatres were charged to the surplus of 1937. Balance sheet as of Jan. 1, 1938, showed current assets of $1,139,000 with liabilities as $2,828,000 which do not include a Paramount loan of $1,100,000. Previous year showed current assets of 52,000 and liabilities of $2, 7,000.

## PAR'S NEW UPSTATE N. Y. THEATRE DEALS

Paramount conducting negotiations looking toward the signing of new leases in Syracuse and Rochester, N. Y., where present deals expire during the coming year. The company has a house in each of the upstate keys, but does not o r- ate them itself.

Roy Thompson, treasurer of the University of Rochester, third richest in the country, is in New York discussing terms of a new lease to cover the Century, Rochester, which the university owns. The present 10-year lease on the theatre, which also included the Eastman, turned back by Par in 1931, expires October, 1939. Rent on the Rochester house at present is $200,000 a year. Bill Caderet, city manager of the Rochester group pooled for operation by RKO, is also in New York on the new lease.

The Par, Syracuse, also on a 10-year lease, is owned by William Cahill, horseman. The present lease there expires June, 1939. Although the Syracuse house is under lease to Par, latter in turn sub-leases the property to RKO.

### RICKETSON'S BOOK

Denver, April 25.

Rick Ricketson's book on 'The Management of Motion Picture Theatres' is to be published soon after ay 1 by cGraw-Hill. Treatise on all phases of the exhibition field is divided into six main divisions: Attracti , Policy, Operation and Personnel, Advertising, Constructive Stimulation and Corporate and Physical Structure.

Ricketson studied for law, was for a time sports editor of the Denver Post, and has spent years in the theatre business. He is now manager of the Fox Intermountain division.

### aloney's 2d Free Feed

Pittsburgh, April 26.

ilm Row gang . tossing a testimonial dinner at William Penn hotel, May 9, for John J. Maloney, former manager of the Metro exchange her who has just been elevated to a district managership by the sai com ny. aloney—was similarly honored only a couple of years ago in his 15th anniversary with M-G-M. He's continuing to make his headquarters in urgh.

Harry exchange m the affair.

### Rockefellers' Gross

(Continued from page 1)

turgy, anatomy and niteries. What they don't own, they house in their greatest holding, the Rockefeller Center, taking in every phase of the amusement industry. Circus seems the only possible exception to the Rockefeller show activities. Though they shirk the spotlight (unique in show biz), some see a curtsy to the tribal label in the billing of the Rockettes. And Standard Oil gas stations have been used to bally shows tenanting the Center theatre.

Rockefeller Center draws 2,500,000 paying visitors annually, with every possible attraction from a Museum of Science and Industry to skating rinks, gardens and a souvenir trade.

## Got $12,500, But Settled for Less; Odd Legal Point

Washington, ril 26.

Lower court action by which a film patron received damages he decided he didn't want was taken to the U. S. Supreme Court last week by Texas Consolidated Theatres.

Because the intermediate tribunal refus to be bound by an out-of-court settlement, chain asked review of the proceedings initiated by S. H. Pittman, whose wife was hurt in the Abilene house of Texas Consolidated. In the first round, Pittman got a judgment for $12,5 and costs.

Unusual legal question presented because, while the case was under advisement on appeal, compromise was negotiated under which Pittman received reimbursement for expenses. Lawyers stipulated that the verdict of the lower court should be reversed but instead of following lawyers' wishes the Fifth Circuit Court of Appeals affirmed the original award, holding it was not bound by any pact between parties.

Since no judgment had been announced nor any opinion filed at the time the compromise was entered; the question is raised whether the appellate court had the right to disregard the settlement and jurisdiction. Declaring the Circuit Court had lost jurisdiction when the tiff was straightened out, attorneys for the chain said the intermediate jurists have 'assumed to decide moot questions.'

## Bamford's Facelifting

With improvement shown in the last 30 days in his territory, Carl Bamford is planning renovation of his Plaza, Asheville, N. C., as well as some work on Canton, N.C., houses.

Leon Netter, h.o. theatre operating executive with Paramount, partners with Bamford in the Southeast, returned Monday (25) from a swing with Bamford through Asheville, Canton and Bristol, Tenn., after inspecting properties and surveying conditions.

## Mrs. Oscar Hammerstein Loses Point in Par Suit

Mrs. Emma Swift Hammerstein, widow of the late impresario, Oscar, was denied permission Thursday (21) by N. Y. Supreme Court Justice Pecora to examine officials of Paramount Pictures, Inc., before trial in her damage suit based on the picture, 'High, Wide and Handsome.' Mrs. Hammerstein claims Paramount used her husband's name ithout permission in listing him as th writer of the play on which the picture is supposed to be based. She instituted the action as executrix of Oscar's estate. Oscar Hammerstein, 2d, is credited with having written the lyrics and music of the picture.

Besides damages, which she asks the court to fix, Mrs. Hammerstein also wants an injunction to restrain further showing of the picture.

The Par picture only lists Hai - merstein, 2d, and Jerome Kern as authors.

### CRUSADE STARTS

Hollywood, pril 26.

George Brent, Humphrey Bogart, Allen Jenkins and Gloria Dickson have the featured roles in Warner 'Racket Busters,' which was given its starting signal yesterday (Monday). Lloyd Bacon is irecting.

# Fox, Detroit, May Be Solo Vaudfilmer As 4,000-Seat Mich. May Go Str. Pix

## $48 Stickup

ianapolis, April 26.

Bandits touring the film house circuit here scored one error, one run, and one hit last week, with a total profit of $48. Two gunmen first drew a bead on the cashier of the Cinema, nabe, but retired without loot when the cashier screamed and stepped out of the box office.

A short time later the bandits were more successful when they held up the Old Trails theatre in Mickleyville, about eight miles distant, and escaped with the day's recei

St. Paul, April 26.

Carrol K. Erdman, 20, pleaded guilty before Judge R. A. Walsh in Ramsey county district court to robbing the Arcade, nabe, of $250 on Feb. 27, and hizzoner rapped him for a visit of up to 10 years in state pen. Erdman pleaded guilty to a third-degree burglary charge and Judge Walsh then vacated probation of an up-to-10-years sentence meted in 1936 for auto theft.

## HARTFORD'S GAME NIX, THEATRES OR LODGES

Hartford, April 26.

ing with the ruling of the supreme court that banko is illegal, local police last week informally and unofficially nixed bingo and beano games here. Awaiting official ruling, exhib had voluntarily stopped bank nights.

Fearful of arousing the ire of social organizations, the prosecutor's office of the Hartford police court sent word to the sponsoring organizations that they expect the games to be shut down at the conclusion of the winter season. Organizations sponsoring large games are the Elks, American Legion and Knights of Columbus besides a host of smaller games under the auspices of several small groups.

Before moving against the big three, political and social reactions were weighed by the prosecutor's office. It was decided against a direct and immediate ban.

At the same time aterbury police officially put the bee on bingo, beano, banknights, screeno and teno- in on an order of Police Superintendent William J. Roach following the court's verdict.

Roach stated that the order against beano and bingo applies to all games whether operated by private persons, commercial organizations, churches, lodges or societies. The fact that proceeds of many of the affairs go to charity in no way alters the situation he said.

## Interstate Convention To Coincide with MPTOA

Oklahoma City, April 26.

Morris Loewenstein, national secretary of the MPTOA, quotes Bob O'Donnell, general manager of the Interstate circuit, that in the event the MPTOA convention is brought to Oklahoma City this fall, an attempt will be made to bring the Interstate managers' convention to the city at the same time.

The civic room of the iltmore hotel, Silver room at the Skirvin, and the Municipal auditorium ith 6,000 seats would assure plenty of room for several concurrent meetings in Oklahoma City, Loewenstein stated.

## Ol' Doc X Back

Hollywood, April 26.

William Clemens has been assigned to direct 'The Return of Dr. X,' ith Boris Karloff in the lead role and Bryan Foy producing.

Picture is the second of the 'X' series.

### Tuning a Gridder

Hollywood, pril 26.

George Marshall has been set by 20th-Fox to direct a football musical to be filmed during the summer.

icture, still without a title, ill udgeted to exceed the scale of in Parade' and 'Life Begins at " both previous gri iron re-

it, April 25.

ig upheaval impending in United Detroit's first-run houses, with 4,000-seater ichigan expected to drop vaude for a straight pix policy in near future, leaving the 5,000-seat Fox (indie) as lone flesh spot in this 1,500,000-pop town.

Additional reports have King-Trendle (Par) shutting the 2,000-seat Madison, now on straight first-run films, for the summer to provide Michigan ith additional flickers. UD's big re-run house downtown, the Broadway Capitol, also is expected to close for the summer.

With auto-dependent town in dol- dr ms past seven months, film biz has been brutal generally, especially in the higher-priced downtown spots. In lieu of viewing one flicker at 65c, coin-depleted folks have been content to wait for films to hit 25c nabes.

UD officials refuse to comment, it's known that musicians and stage hands at the ichigan got their two-weeks' notice last Friday (21). While this may be merely for protection in case UD execs decide situash warrants immediate end to Michigan stage shows. reported that deluxer will drop vaude termination of first two week's notice.

Although there's no indication at present, it's believed Michigan would resume stage shows next fall, or sooner if financial shape of Detroit perks up considerably before that ti

ubtful if union boys attempt picketing or public-sympathy raising tactics, in view of brutal conditions, but this phase hasn't been discussed in sufficient detail as yet.

If Michigan carries out dropping of vaude, Fox theatre will stick to its vaudfilm policy if at all possible. Would give that house added advantage and Fox has several topnotch attractions lined up for early dates.

But should Michigan stick out with its vaude policy, which appear doubtful in view of notices, etc., Fox and Mich both may work out some sort of an agreement to pare expenses.

Musicians and stagehand unions are trying to forestall elimination of vaude through working out of a wage cut and staff reduction proposals suggested by UD. Stagehands offered to take a 10% pay slash immediately, with provision for adjustments later as biz improves.

Musicians are considering 10% cuts and lopping four off the pit orchestra. May accept UD's proposal on basis that it'll run only to Sept. 16, when second half of a two-year contract expires, ith provision men will go back on terms of second portion of contract at that time.

Indianapolis, April 26.

Notice was given union employees of the Indiana, 3,300-seater, Friday (22). House is largest of the group which also includes Circle and Apollo, combined last fall under the banner of Harry Katz and Fred Dolle. While Indiana has been consistently in the black, showing the top pictures under contract to all three houses, the smaller Circle and Apollo have suffered from sluffs and holdovers.

Another reason for the shuttering of the Indiana is the condition of the house cooling system, which has not been used for several summers, and would cost too much to put in operation.

## Vancouver Overseating A Worry; Many New Houses

Vancouver, , April 26.

Plenty of furrowed foreheads amongst exhibitors here with opening of four new theatres in metropolitan area in six months adding emphasis to serious overseating situation. Long rated as best entertainment center in Canada, city many sections has become an exhibitor headache. In certain locations grosses have dropped as much as 50% on opening of new houses.

Ten new theatres in the past two years have added over 8,000 seats.

### BOY SCOUT CLIFFER

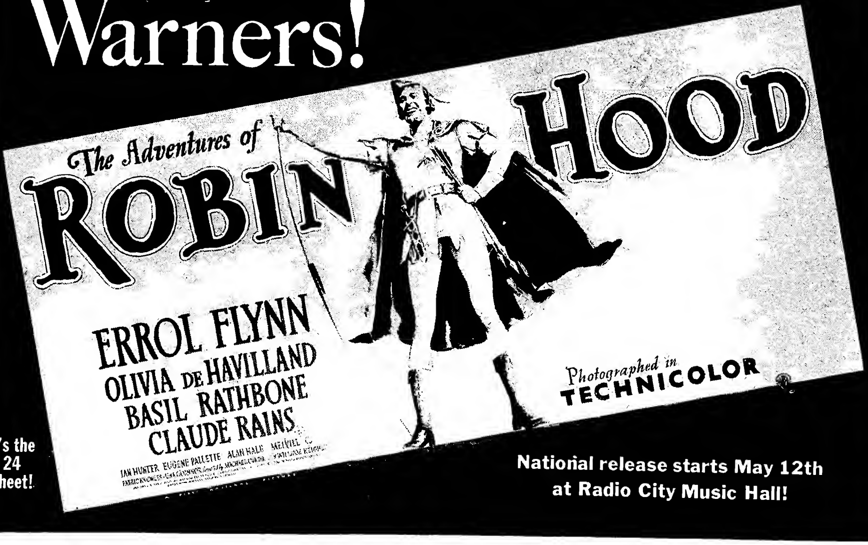
Hollywood, April 26.

ur writers, Wyndham Gittens, Joseph Poland, George Plympton an Basil Dickey, have been assigned to write a cliffhanger in 12 chapters on the history of the Boy Scouts, for Universal.

Still untitled, the pro scheduled to roll in July.

*It's in the Air!*

# The Biggest Thing of Any Spring is That Terrific Technicolor Sensation from Warners!



It's the
24
Sheet!

**National release starts May 12th at Radio City Music Hall!**

# EXPLOITATION :-: By Epes W. Sargent

### Air-Minded

St. Louis.

Vicinity of Loew's, downtown de luxer, resembled an aviation field as manager Harold 'Chick' Evens and publicity director Jimmy Harris turned on the heat to exploit MG's 'Test Pilot.' In addition to placing a 20-foot compo board model of a plane atop the marquee with the pic title outlined in electric lights and illuminated at night by anti-aircraft beacons obtained from nearby Scott Field, U.S.A. aviation base, the fuselage of a Curtiss-Wright plane, complete with tail assembly, motor props, etc., was parked for the first three days of the run in a space near the theatre. An usher in flying suit stationed at the plane answered questions and dished out cards plugging the attraction.

The Stix, Baer & Fuller Dry Goods o., one of the town's largest dept. tores, sponsors a boys' aviation club with a membership of 15,000, and vens and Harris cashed in on this ossibility by planting a large panel with copy and plenty of stills of the Gable-Loy-Tracy opus in the store's aviation exhibit. The day after the pic began run 50 winners in the store's model airplane contest were guests of the theatre, which got lots of word-of-mouth advertising. Theatre ticket sellers wore air hostess uniforms, and regulation captain uniforms were provided for the ticket taker. The usual routine tieups were emphasized to clinch the campaign.

### Good, but Bungled

Philadelphia.

Navel preview of Metro's 'Test Pilot' was held here last week for crix and other members of industry. Il arrived—or were supposed to arrive—by plane.

Pic was screened in barn on the estate of Alfred L. Wolf, in Ambler, near Philly. Wolf's law firm does much legal work for the film colony here. He is an avintion enthusiast, flies to work every day and has a flying field on his estate..

Stunt was pretty well ruined, in the first place, however, by torrential rain, which made flying almost impossible, so all but a few of those invited came by auto. Secondly, no arrangements were made for planes for the crix, and, being in no position to hire them themselves, those who came resorted to usual means of travel. Idea, however, was good for a considerable space in the dailies.

### For Golden Couples

Oklahoma City.

During showing of 'Girl of the Golden West' city manager W. A. Quinn served as host for a party at the Midwest, at which all couples in the city who had been married 50 years or over were invited to attend.

Party attended the show at 1 p. m., following which the men received cigars and the women flowers as a courtesy of the theatre.

### Shooting the Works

Warner Bros. studio exploitation staff pulled an archery contest at Palm Springs recently on behalf of 'The Adventures of Robin Hood.' Working it on a big scale cracked Life and other picture publications as well as scores of papers all over the country, whose Hollywood representatives were taken down for the event and also permitted to engage in an alleged contest on their own account. Some of 'em hit the target; most of 'em didn't, but they all penned stories.

Real tournament carried nearly 100 entries and was run off under the supervision of John F. Cuneo, of the Nat. Archery Assn. Shooting was for a trophy ostensibly donated by Basil Rathbone. Howard Hill, archery expert, who worked in the picture, gave a demonstration and exhibition, and the stunt was blown up to big proportions.

There are archery clubs in most of the populated spots, and a local contest can be worked for plenty of newspaper space and art by contacting the club sufficiently far in advance to get a real event under way.

### Cocktailer. Tops

Cleveland.

Although given secondary billing, Dr. 'Think-a-Drink' Hoffman copped more free space from rags than toplined Judy Canova on his first visit to RKO Palace hero.

Cocktail magician sent bottles of Seagram's VO to all drama cricks with a note, 'The drinks are on me' and 'This bottle when empty is your pass to the Palace theatre this week.'

Likker company tossed his card around in all of town's better bistros, and a tie-up with beer company brought radio plugs before ball game broadcasts. Even got a break from picture-snatchers who snapped him as he pulled his cocktail-shaker trick in a race against six bartenders in a Statler hotel.

### ixing Up Marco

New Haven.

John Hesse put on the town's biggest campaign in weeks for 'Marco Polo' at the Roger Sherman. Used a flock of routine stuff like bookmarks, one-sheets on news trucks, 'Marco Polo' sundaes, trailer a month ahead, badges on personnel two weeks ahead, letters to Board of Education, radio spot announcements, etc.

For special plugs, Hesse landed six-column art and story on kissing technique in Sunday sheet, also story of artist Rockwell Kent's choice of Gary Cooper as typical American. Heads of prominent Italian organizations were contacted and a 'Marco Polo' night arranged, with Italian consul, etc., as guests. Sidewalk teaser stencils were used and a photo of Governor Cross being invited to picture broke local sheets.

Street bally had a costumed 'Polo' arrive by train, visiting mayor's and newspaper offices. Hesse drew an official okay on temporarily changing name of theatre's street to 'Marco Polo' street and had incoming mail addressed thusly.

Contests included a classified ad section tiein, with oakleys for 50-word letters on 'Do you think traveling salesmen have changed much since Marco Polo's day?' Also gave guest tickets for identifying previous Cooper roles from stills in weekly. Third contest offered prize to nearest guesser on time it would take a girl planted in store window to read the book via loudspeaker (ran two days).

By pulling proper strings, Hesse landed the whole campaign for peanuts.

Bob Russell made a nice tiein with local gas company who went for about 50 inches of space, with cuts, to plug the all-gas kitchen used in 'Merrily We Live' at Poli's.

Unusual for this source to go for publicity plugs of this nature.

### isses and Crackers

Oklahoma City.

Couple of good gags worked out to typo interest in 'Marco Polo,' flickering at the Standard here, included passing out packages containing one firecracker and the note 'This firecracker changed the history of the world, see 'Marco Polo.' Cards with place for kiss imprints were passed out to young ladies who left their kiss-print via lipstick on the card and handed them in at the Criterion b.o. in competition for $5 prize money to the girl with the best Marco Polo style lip print.

### Helping Autoists

Spokane.

Manager Al Baker of the Fox arranged for the state patrol to set up driver's license testing equipment in the lobby. As state patrol's headquarters are distant from downtown and Fox is centrally located, testing station has been getting big play.

## Theatres-Exchanges

Tulsa, Okla.

Federal Judge F. P. Kennamer has confirmed sale of the $1,000,000 Akdar temple to Ralph Talbot for $106,667, ending a deadlock brought on by an attempt of Akdar Shrine members to forestall final sale of the property after Talbot had bid it in at auction.

Atlanta.

E. E. Whitaker, Fox theatre and city manager for Lucas & Jenkins, Inc., has been elevated to district managership of chain. His duties as Fox mgr. have been assumed by Hudson Edwards, who has been in saddle of circuit's Bijou in Savannah. Oliver H. Bradbury, Jr., mgr. of Georgia, will replace Edwards at Bijou. Georgia is skedded to go dark shortly for summer.

L & J's general offices have been moved from Walton Building to Shrine Mosque, which houses Fox, circuit's ace de luxer. Circuit operates more than 50 houses in Georgia.

Oklahoma City.

Shifts in Standard circuit personnel here include: Pat Pachen replacing Bert Stern as advertising manager; Ben Langdon, assistant to Pachen; Carr Flourney resigned as manager of Ritz with Jack Tunstil being transferred from Victoria to replace; Dick Talbot to take over management of Victoria.

Spartanburg, S. C.

Fred Reid, assistant manager at State, transferred to Criterion as manager. D. B. Austell, Strand manager, transferred to Greenville as Rialto manager. Wilby-Kincey houses.

Minneapolis.

Most elaborate paint job along the Minneapolis rialto, just completed, was on a shuttered theatre, the Alvin, which had its huge marquee and upright prettied up. House has been dark the better part of the past two seasons except for occasional lectures and concerts.

Hollywood.

Hollywood theatre, a Fox West Coast-Earl Sinks-Dave ershon subsequent run operation on Hollywood blvd., reopened after being completely remodeled at cost of around $26,000.

oston.

Walter Murphy, formerly treasurer of Loew's Orpheum, promoted to assistant manager, replacing George Fornell, resigned. George McGunnigle, formerly assistant treasurer, steps up to treasurer, and James Tibbetts of service staff takes over assistant manager's position.

Atlanta.

Promotions will bring shifts in Lucas & Jenkins, Inc., personnel in Atlanta and Savannah. E. E. Whitaker, city manager here, slated for executive post in chain's GHQ here; Hudson Edwards, now mgr. of Bijou in Savannah, will come here as mgr. of circuit's ace de luxer, Fox. liver radbury, Jr., mgr. of Georgia here, is scheduled to take Edwards' old post, with Sam Kane, ass't to Mgr. Tom ead, of Paramount here, slated to be boss at Georgia.

New York Theatres

There's a Better Show at the RKO THEATRES

"ACCIDENTS WILL HAPPEN"
Doors Open 9:35 A. M. B'way & 47th Strand 25c to 1 p.m.
Beginning Saturday, 9:35 A. M.
"Beloved Brat," with Bonita Granville

Loew's STATE BROADWAY & 45th STREET TODAY ONLY
In Person
MAE WEST
"MERRILY WE LIVE"
Starts Thursday
"GIRL OF THE GOLDEN WEST"

M-G-M's Smash Hit
CLARK GABLE MYRNA LOY SPENCER TRACY
"TEST PILOT"
CAPITOL BROADWAY at 51st STREET

PARAMOUNT TIMES SQUARE
"College Swing"
Burns and Allen
Martha Raye
Bob Hope
IN PERSON
KAY KYSER
And His College of Musical Knowledge

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"In Old Chicago"
—On the Stage—
New Stage Show

RADIO CITY MUSIC HALL
"THERE'S ALWAYS A WOMAN"
Spectacular Stage Productions

# New Pix Bill

(Continued from page 3)

and command the highest rentals is of such signal importance that as much may finally be spent as for the current ('37-38) season, regardless of what saving is realized now or in the near future. Any given company, turning out the same number of films for '38-39, might be spending considerably more than for this year were not certain economies being put into force now. It is pointed out that 85% of the problem represents fixed costs about which little or nothing can be done, including contracts that can't be torn up, union requirements, cost of film, etc.

A serious effort is being made to cut where possible and where injury to a studio's normal operation may not be felt but, as explained, 'they're working on the 15% end of the situation.' Whatever can be cut away from the 15% problem may not in the long run mean so much, depending on whether the 'A' or high-bracket pictures eat up more than this year or less.

### May Help Some

The speeding up of scripts and turning out pictures faster may pull some companies through on the 1938-39 production costs of an entire program at as much as $5,000,000 under this year, but at this time this is only a guess and a prayer. Among other things, the producer-distributors are jealous about protecting rental levels, actually hoping for higher terms for '38-'39, and thus fear the danger of trying to get pictures out in the form of 'cotton' rather than 'wool,' knowing full well that the difference in rentals may out-balance the gain from 'cheating' at the studio.

In the setting up of budgets to cover '38-'39 programs, the figures on which virtually all companies are proceeding is very flexible. The idea of setting aside stipulated amounts to cover a full season's program that may be followed with any certainty is a mathematical impossibility at this time in the opinion of one high executive.

For that reason, although some arbitrary figure may be set up from which to proceed, most of the companies may go along gradually and feel their way on costs as the season progresses. One company for the coming year, Monogram, is even figuring on a higher budget than for the current ('37-'38) session. While last summer Mono budgeted $2,500,000, for '38-'39 it is planning a budget of around $3,000,000. Paramount, with a budget for '37-'38 of $31,000,000, may spend all of that again for '38-'39, while arner Bros., at around $30,000,000, is likely to do the same under plans, according to one executive, to turn out more big pictures for the coming year. Metro may come in a bit under this year, when nearer to around $35,000,000 was poured into a season's product. RKO, working on a budget of around $25,000,000 for this season, may be another to reduce a little.

Although it may not hew to this figure, 20th-Fox is reported having set up a budget for the coming season that presupposes a reduction in program delivery of $2,000,000 to $3,000,000. In the face of 20th's ambitious plans for '38-'39 in product, it is doubted in some quarters if the negative cost will be this much under '37-'38. The '38-'39 budged is reported to have been set at $?1,000,000. Because of the fact that some pictures may cost more than figured now, others less than any budget could anticipate, plus the uncertainly of conditions ahead, the principal thought is not worrying about that but getting out the best merchandise, selling it for all it's worth and striving, against anticipated severe competition, to realize the highest possible profits.

## B'WAY BICYCLE MARCH AS DURBIN PIC TIE-IN

Loew's ballyhooed Universal's Deanna Durbin starrer, 'Mad About Music, which is currently playing Loew houses in Greater New York, with a five block long parade Saturday (23) morning. Parade included a band from a Naval Militia unit in Astoria, L. I.; the Loew Cadet band, latter an outfit of youngsters which is supplied with uniforms and instruments by the circuit and used for such stunts; a Naval Militia detachment; Loew ushers, and about 15 girl bicyclists, who appeared as result of a tie-up with three national cycling clubs.

Parade started at Columbus Circle, marched down Broadway to Loew's State, swung around and went back up Seventh avenue to 57th street, over a block and down to Loew's Ziegfeld at 54th and Sixth avenue, where three cups and three medals were given for best represented group of bicyclists from one section; best costume or decorated machine, and a cup for riding ability. Medals represented second prizes in each contest. Awards were presented by Norman Hill, former six-day rider and now v.p. of Cycle Trades of America, and broadcast by WHN, Loew's radio station.

Police permit for the parade was obtained because of the wheeled delegation. Police understood the motive for the march, but issued a permit on the angle it furthered interest in the sport. Bicycles tied-in with a sequence in the picture.

I wish to extend my sincere appreciation to Miss West, Mr. Jim Timony and Miss West's personnel for a highly pleasant and memorable record-breaking ten weeks' engagement.

JACK POWELL

LOEW'S STATE
NEW YORK
NOW

RKO BOSTON
BOSTON
WEEK APRIL 28

Modern Screen
★ THE LARGEST CIRCULATION OF ANY SCREEN MAGAZINE

# ‘THIS IS NOT A CONTROVERSY’ DECLARE MACFADDENITES IN ATTACKING RADIO

### Second Magazine Wallop at Broadcasting This Year—Contrasts Costs of Page Versus Half Hour—Radio Answers ‘More Spent for Sets and Tubes Than for Magazi ’

Macfadden Magazines has issued for the use of its sales staff who are now circulating the argument among advertising agencies in New York a new blast at network radio which follows by several weeks the Crowell magazines frontal attack via splash printed advertisements in trade papers and dailies. But Macfadden prefaces its study with a few courtesies to the competitive media of broadcasting.

Says the explanatory foreword:

*THIS IS NOT A CONTROVERSY. Magazines and radio are not necessarily competitive, but complementary. They have common denominators. Radio advertisers announce their programs in magazines. Magazine editors promote their publications on the radio.*

*Macfadden Publications, Inc., like radio. Currently, on Friday nights over the air can be heard A. L. Alexander's True Stories, sponsored by True Story Magazine. Macfadden Publications, Inc., consider this successful advertising.*

*By no means does this report intend to stress the strength of magazine advertising as opposed to the weaknesses of radio advertising.*

*This is not a message to the client on 'What Big EYES You Have,' nor is it a message 'What Big EARS You Have.'*

*No grotesque statement is made such as 'What Goes in One EAR Comes Out the Other, But What Goes in Through the EYE Sticks As There Is No Hole in the Back of the Head.'*

*Nor do we go into the pressing problems being investigated by psychologists and psychiatrists—the disintegrating effect of constant noise and music stimuli on our sensitive and not so sensitive citizens—which is causing 'growing emotional instability and even criminal outbreaks in modern society.'*

*Nor discuss symptoms of the over-indulged listener, nor dwell on the group whom Kenneth Goode describes as being 'out of the field of radio LISTENING into the field of radio RUNNING.'*

*Rather, herein we weigh the VALUES OF EACH MEDIA and point out some significant factors to be considered by the manufacturer planning his advertising program.*

• **Rebuttal**

Macfadden is making the point that 'magazine audience is guaranteed delivery.' Radio is already answering that while a large newsstand sale is a strong story magazines in general cannot draw condescending conclusions from forced circulations that do not count unopened and unread copies and that ignore the fact that the known percentage of readers seeing any given advertisement in a magazine is 10% or less by statistical average.

As the quibbling again threatens to go on well into the night magazines testify anent their own popularity with John Q and Jane Public that the following sums were spent in 1937 for magazines via subscription and newsstand sales:

| | |
|---|---|
| Macfadden | $15,846.170 |
| Crowell | 13,733.629 |
| Curtis | 13.406,109 |
| Hearst | 9.747.571 |
| McCall | 5,560,069 |

To this the radio answer (from the files) is obviously that in 1937 the public spent $450,000.000 for new radio sets and tubes and $297,000,000 for electricity and repairs to operate radio sets (estimated up to 26.000.000 in American homes).

Macfadden gets down to a comparative basis when it contrasts a half hour of evening network time costing $13.700, and compares this with a black and white page at $4.-950. An audience (circulation) of 2.200.000 is then set against an audience of 2.120.000 for radio (based on C.A.B. median). Arithmetic followed shows 444 families per magazine dollar for 162 family per evening radio half hour. This is finally reduced to support a claim of '36.8% more for your money in a magazine than radio.'

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## More About Crowell

Crowell Publishing Co. expanded its rural-area campaign to eight stations. Mag plugged is Country Home and the aim of the sponsor is to merchandise farm-area radio stations the farm ads i the publication.

Five new broadcasters set are KFBI, Abilene, Kans.; WIBA, Madison, Wis.; WMBD, Peoria, Ill.; WOWO, Fort Wayne, Ind.; WMT, Cedar Rapids, Ia. Three stations which continue and on which Crowell started its stunt early this year are WNAX, Yankton, S. D.; KMA, Shenandoah, Ia.; KFRU, Columbia, Mo.

Publishing house reported still sensitive about the attack made upon it after its radio blast couple months ago. Contention of Crowell is that the layouts did not belittle radio as an advertising medium, but the high talent costs. It is maintained advertisers wasted lumps of money in many instances.

In its own radio campaign Crowell is spending nothing for talent. Programs are five-mi talks, mostly spotted at noon, and the commentators are promoted by the publisher. These are chiefly local w.k.'s who are interested in farm matters. Their talks deal with these subjects. Typical talker is Earl May, on KMA, who also runs the chain of ay stores, spread in farm areas.

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San Antonio, April .

South Texas Press Association, meeting in annual convention in San Antonio, to start campaign to bar radio publicity in member sheets. Group bills itself as 'largest regional press association in the world.'

Jack Howerton, publisher of Cuero, Texas, Record, was elected president Saturday (23).

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**Ted Blake,** m.c. and comedian on 'Night at the Inn' show on WCAE, Pittsburgh, will head floor show at Hotel Summit in Uniontown, Pa., summer resort.

## Dorothy Thompson Layoff

Dorothy Thompson is taking a three months' vacation, starting May 30, from her Pall Mall cig program on NBC as provided for by her contract.

Compton agency, which has the account, is looking around for something to fill the period.

## Chevrolet Wax Series Testing Fans' Attention

Chevrolet's 'Musical oments' series will soon come in for its major listening test. Auto manufacturer is launching a guessing contest which will be tied up with the waxings and involve the giving away of six cars.

Listeners will be directed to give scrutiny to huge picture posters pasted across dealers' windows and try to determine how many objects containing the letter ' ' are to be found in the barnyard scene depicted by the poster. Contestants must obtain their participating cards from the dealers.

## LEVYS OF WCAU BUY 15% OF TRANSRADIO

I. D. and Leon Levy, owners of WCAU, Philadelphia, and among the major stockholders in CBS, last week put the finishing touches to a transaction which brought them a 15% interest in Transradio News Service and allied enterprises. Levy brothers will as a result of the purchase become members of Transradio's board of directors.

Ike Levy declared Monday ) that he and his brother had come into the organization merely as investors and that they would not take an active part in its operations.

## Magazines Vs. Radio

Macfadden data that fails to disturb radioites because they see therein a story-within-a-story favorable to radio is revealed in the so-called 'Fort Wayne Survey.' Value to advertisers of the non-magazine homes in percentages is complimentary to broadcasting, in trade opinion. Data as submitted (but iven contrary interpretation by magazines and radio) follows:

| | Radio Homes Reached by Magazines | Radio Homes Not Reached by Magazines |
|---|---|---|
| **Own an Automobile** | 74.9% | 50.0% |
| Ford | 14.1 | 13.3 |
| Chevrolet | 14.3 | 11.5 |
| Plymouth | 8.9 | 5.6 |
| Hudson-Terraplane | 6.5 | 5.2 |
| Pontiac | 5.5 | 3.0 |
| Buick | 4.6 | 2.6 |
| Dodge | 4.4 | 1.5 |
| Oldsmobile | 3.8 | 1.9 |
| **Own '36 or '37 Model** | 27.1 | 12.2 |
| **Use Coffee** | 93.8 | 91.3 |
| Chase & Sanborn | 15.0 | 7.2 |
| Maxwell House | 12.8 | 7.2 |
| **Use Prepared Food Drink** | 43.2 | 21.6 |
| Ovaltine | 21.3 | 8.2 |
| Horlick's | 8.9 | .4.9 |
| Cocomalt | 7.5 | 2.6 |
| **Use Gelati** | 89.4 | 71.0 |
| Jello | 59.7 | 43.1 |
| Royal | 20.5 | 9.7 |
| **Use Packaged Cheese** | 63.4 | 37.6 |
| Kraft's | 54.4 | 27.1 |
| **Use Tooth Paste** | 72.4 | 66.7 |
| Pepsodent | 21.1 | 18.1 |
| Ipana | 12.4 | 5.7 |
| Colgate's | 11.6 | 9.2 |
| **Use Tooth Powder** | 48.6 | 23.1 |
| Dr. Lyon's | 14.3 | 6.5 |
| Pepsodent | 13.0 | 9.3 |

## Radio Isn't Intellectual

ook publishers hold off on radio advertising despite fact books are national and international sellers, obvious lack of appeal to usual radio-listening intellect, book industry's own mechanical difficulties, seasonal conditions, absence of brands and labels and proven slight return on all but few best llers.

To date there have only been a known 10 to hit the air in any form around New York area. N. Y. is the country's largest book-buying area by miles. There may have been and might be a few local shots sponsored by book stores but the mechanics of the business keep even this down. Biggest was Alexander Woollcott's session for American Book Sellers some time ago. Next in line is current local sponsorship by Modern Age books on WABC. Exclusive of magazine stuff (U. S. is greatest mag reading nation) remainder have been limited to local shots, mostly spot, of Modern Library, Random House, Simon & Schuster, Oxford University Press, Book-of-the-Month, Alfred A. Knopf, Harcourt Brace and Farrar & Rinehart.

All but two of the foregoing have been spotted on a local station with intellectual appeal and with little or no rating among average listeners. Besides the publishers there have been a couple of large scale book stores which emphasize the point. At the same time they point out the mechanical difficulty of sharp lack of distribution points. Although reading is most pop form of entertainment in the U. S., statistically proven, there is, per capita and compared to other countries, a very noticeable scarcity of outlets for books. (U. S. world's smallest figure on that basis.) It is officially estimated that there are less than 1,200 retail outlets in U. S. as compared to thousands in any of the European countries. Here is a limitation not met by coffees, soaps, cars, oils, drugs, foods, etc. Latter is proven in that 20% of total sales on 'Gone With Wind' were made from Macy's, N. Y.

## AGENCY MEN HOSPITALIZED

### Holcomb's Operation—Fred Fielding Stepladder Fall Cracks Skull

Two agency execs became hospital cases last week. With Lawrence Holcomb, radio director for Fletcher & Ellis, it was an appendix removal at the Tarrytown, N. Y., hospital; while Fred Fielding, of N. W. Ayer, who was transferred from radio to new business a few months ago, is recovering from a fracturel skull and concussion of the brain at the Norwegian hospital, New York.

Fielding suffered his injuries at home the previous weekend. In a fall from a kitchen stepladder his head struck a radiator. He went to the office Monday (18) and it wasn't until Wednesday that he started to complain of a severe headache. Later in the day a doctor took some X-rays. Following morning Fielding was told that he had a fractured skull and concussions and urged to get to a hospital right away.

## Varady's 9 Discs

Varady of Vienna cosmetics, which is going transcription for the summer, has worked out unusual contract for stations taking the campaign. Account is making only nine 15-minute musical shows, although the ti orders stipulate 13 broadcasts over that many weeks.

Varady's plan is to have the stations repeat the first recording on the 10th broadcast, the second disc on the 11th broadcast, and so until the 13 weeks have run out.

World broadcasting is handling the wax job, while Baggley, Horton & Hoyt, of Chicago, is the agency.

## Stammerers' Banquet

Philadelphia, April 26.

WIP bitten by annual spring showmanship bug and has gone out after flock of special events during the coming month. Remotes to be aired include air races from new Philly airport on May 14; combined schools chorus from Olney High School on April 28; opening of Philly's model home on May 8; May Day at the zoo on May 1, when short wave pack transmitter will be used to 'interview' the animals.

Banquet of the Kingley Club, stammerers' organization, will be broadcast from the Penn A. C. on May 2.

### Clark, WFIL, Resigns

Philadelphia, April 26.

John C. Clark, program director at WFIL, has resigned. No date set yet for him to leave. Clark came to Philly about a year and a half ago from St. Louis.

Margaret Schaefer, production director at the kilowatter, has been acting as assistant program director for past three months, and will temporarily succeed to Clark's place. Possibility that an outsider will be brought in when baseball season is over.

### Hyla Kiczales Back

Hyla Kiczales, general manager of WOV, N. Y., has been in the West Indies on a 10-day vacation.

Returned from cruise on onday ( ).

## RADIO WITHIN WAGES-HOUR LAW

Washington, April 26.

Broadcasters must give their help two bits an hour and limit the work week to 44 hours if the newest New Deal attempt to specify working conditions is backed up by Congress.

ost recent revision of the oft-revised labor-standards bill, presented to the House Friday (22) with argument that drastic steps to combat the 'vicious circle of deflation' are extremely 'urgent,' stipulates that all forms of communication—thus removing any doubt about radio—are subject to another form of Federal control. Bill would insure all workers subject to U. S. supervision of a $16-a-week pay envelope in four years.

Fate of the bill is anybody's guess. Too many legislative hurdles in the way of final enactment. But if it gets to the President's desk, broadcasters will be required to start raising the office boys, messengers, telephone girls, and other low-paid help.

In the first year after enactment, all hired hands would get 25c an hour and work not more than 44 hours weekly. In each succeeding year, the pay scale must be upped a nickel until a 40c level is reached, which will take four years. Simultaneously, the nose-on-the-grindstone requirement must be shaved, by two hours yearly, until a 40-hour week is the custom.

Violators would face six months i the pen and $500 fine.

## RADIO EDITORS JUNKET TO 'AH' KNX OPENING

Departing N. Y. yesterday (Tuesday) for a cuffo train ride to and from Hollywood were the following New York radio editor: Nick Kenny, Mirror; Jo Ranson, Bklyn. Eagle; Tom Brooks, Dinty Doyle, Journal-American; Claude Bragdon, Sun; Aaron Stein, Post. They are guests until Sunday (1) of Columbia Broadcasting System in connection with the whoop-de-do for CBS' newest west coast plant for KNX.

Other eds from Chicago and San Francisco, etc. will probably join party. Individuals will probably stay west longer than the KNX holiday period in some cases.

### Wheatena Air-Minded

Wheatena (cereal) is scouring around for a program with appeal for kids. Show will be spotted on WOR, with possibility it will spread over Mutual.

Rohraback & Gibson, Philadelphi outfit, is the agency on the account.

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**Robert Saudek,** of KDKA, Pittsburgh, continuity staff, delivered an address before radio division of American League of Pen Women at their convention in Washington, D.C., last week.

# 29 AIR HOLDOUTS AND WHY

## Are Sponsors Feeble-Minded?

**The** magazines are pot-shoting at radio again. Which is their privilege, and their affair. Magazines are just one of radio's enemies and radio, presumably, is just one of the magazines' vexations. The mags are worried. Who isn't?

**Solicitors** of run-of-the-mill advertising may be told—and frequently are—that the appropriation going to a competitor is alloted for political, social, eccentric or obscure reasons. Or because somebody nurses a grouch. And that's that. But with the millions of dollars involved in radio campaigns, anything less than a business-like, cold-blooded, clear-eyed and realistic motivation is a serious disparagement of the responsibility and sense of the individuals who make the corporation decisions.

**Are** the magazines raising the question that radio sponsors are, per se, feeble-minded? By constantly stressing the showmanship risks, the talent costs and the other admitted hazards of sponsorship, are they suggesting that the sponsors have not informed themselves in advance of these very dangers?

**Sponsors** see innumerable samples of successful manipulation of radio. However special or peculiar radio's challenges to craftsmanshipt may be there's nothing esoteric or impossible about profitably using entertainment for advertising purposes. Where and when blunders are made it is usually not hard to relate the mistakes made to the fairly well-known precepts of showmanship as practiced in radio and outside radio.

**This** controversial slogan—'avoid radio; it's a gamble'—simmers down seemingly to the gamble being entirely a matter of program content and program cost. As for the cost element—again are sponsors feeble-minded? And for the rest, the difficulty of writing, directing and broadcasting entertainment, that's craftsmanship—the agency's job. Some agencies are good at this job. Many are not. Those that are not may privately agree with the magazines' raps at radio. But do they want to have their magazine recommendations subject to a suspicion that their craftsmanship weaknesses in radio are behind such sentiments? One guess.

**When** and if radio becomes too costly to be a good buy, nature will no doubt take its customary course. There is, of course, plenty of occasion for criticism of what's done in radio programming by agencies and sponsors. But essentially this means sheer craftsmanship—professional everyday skill as distinct from the yachting-golfing-steeplechasing, social spade work of millionaire salesmen who get accounts for agencies that sometimes are pretty confused and ill-prepared as to doing much for the accounts.

**Craftsmanship** certainly is the glaring weakness and the great tripper-upper of radio. But while it's a consideration always to be taken into calculation, this craftsmanship difficulty presumably will not in itself support a refusal to use radio. Nation-wide sales vibrations from successful manipulation via popular programs (i. e. programs possessing craftsmanship) is too strong an argument the other way.

## William A. Brady Loses Suit on 'Way Down East'; Radio Serial Not Same

Despite his long connection with Lottie Blair Parker's famous play, 'Way Down East' which he first produced in 1890, William A. Brady has no control of the radio rights either to the story itself or to its title. Supreme Court Justice so decided this Monday (25) when he dismissed Brady's action against the Charles N. Phillips Chemical Co., Bamberger (WOR) Broadcasting Co., and Blackett-Sample-Hummert.

Producer sought an injunction and profits based on alleged infringement of the title by the defendants in a series of broadcasts which have been aired weekly since 1936 sponsored by Phillips. It developed at the trial that while the series was broadcast under the 'Way Down East' title the weekly airings were in no way similar to the original story.

Justice Wasservogel dismissed the suit from the bench after listening to Mr. Brady describing his long connection with the famous play.

In his decision, Judge Wasservogel held that while the producer had obtained the rights to the story from Mrs. Blair in 1899 for $10,000, the author had not reassigned these rights when she renewed the copyright in 1927.

## BENGUE-PAQUIN TO BUY LOTS OF SPOTS

Baume Bengue and Paquin Hand Cream, related accounts, will be big users of spots next fall. Exact number of stations not set but will be coast to coast. Will buy bulk packages of time starting around October.

A test this past winter reported very successful with new expansion by far largest budget accounts have ever alloted for broadcasting.

illiam Esty is the agency.

**Nathan Safir** is new assistant news editor of WOAI, San Antonio.

## 'NOW THE SHADED AREA—'

### Grabhorn, Rogers, Howard Analyze Centres of Contrarimindedness

International Radio Sales is going to find out why certain agencies preferentially include competitive stations more than those represented by IRS. Undertaking was devised at a meeting in New York last week between Murray Grabhorn, IRS head, and Naylor Rogers and Bob Howard, managers, respectively, of the Chicago and Detroit offices.

IRS stations will be asked to submit a list of the accounts on competitive stations and the resulting agency analysis will be used by the managers of the various IRS managers personally in determining where the prying as to reasons plus heavy salesmanship must be focused.

## Linton's Cash Settlement

Ray Linton has obtained a cash settlement of his contract as exclusive sales rep in the Chicago area for WMCA, N. Y.

Linton is going into the station rep on his own, with offices in New York, Chicago, Detroit and Los Angeles.

### HANRAHAN TO MEMPHIS

incinnati, April 26.

James C. Hanrahan, vice president of Scripps-Howard Radio, Inc., will move his family to Memphis, Tenn., May 1, to make his headquarters at WMPS in that city through the summer. During that period he will make frequent visits to WNOX, Knoxville, and to WCPO here.

Jane Cramond joined the local station last week as continuity writer. She formerly did free lance ad jobs for department stores in Cincy.

### Courboin's Borrowed Hall

Dr. Charles Courboin, organist on Mutual via WOR, N. Y., is going to Philadelphia Sunday (1) to make some records for RCA Victor.

Sunday date was named because Courboin will use the organ in Wanamaker's department store and emporium's equipment can only be used when shop is shuttered.

## LIQUOR ACCTS. TOTAL 9 OF 'EM

### Broadcast-Eschewing Accounts Include Several Former Sponsors — But Not Clear That Program Flops Responsible for Present Policy

### SOME USE SPOT

Network radio in 1937 had among its clients 71 of the 100 largest-spending national advertisers. That left 29 holdouts who, despite large advertising budgets, did not include network advertising. In an accompanying column the 29 non-radio accounts are listed. Meanwhile an analysis of this group shows:

| | |
|---|---|
| 12 | Former sponsors |
| 9 | Liquor accounts |
| 1 | Trade association |
| 1 | Steel company |
| 2 | Regionals |
| 1 | Insurance company |
| 1 | Farm machine company |
| 1 | Monopoly |
| 1 | Since on network |
| 2 | Using spot radio |

Probing a little deeper for that well-hidden but sensitive sponsor nerve—flop program—it does not appear that, as regards this fiscally important 29, there is any particular correlation between conspicuously unhappy experiences in radio and a present disinterest in the media as a consequence thereof. Dozen former sponsors of network shows who were absent from the webs in 1937 includes: Eastman Kodak, Goodyear, Socony Vacuum, Goodrich, Cutex, Armour, Squibb, Canada Dry, General Cigar, Beechnut. Of this number Goodyear may have unpleasant memories of sponsorship (Literary Digest fiasco poll on the 1936 elections) while Socony had a certain amount of production grief with 'Red Horse Flying Tavern.' Goodrich's verdict on its Max Baer series is not in the record.

Canada Dry is partly a liquor advertiser although in its alter ego, as a dispenser of mixers, it was the original sponsor of Jack Benny. Armour has had a spotty radio association but first brought out Phil Baker. General Cigar did well with Burns and Allen, Squibb at the time apparently found that the World Peaceways program brought plenty of people into the apothecaries. Beechnut's sponsorship of the 'Red Davis' juvenile series was ranked a program success in its day. Cutex had an orchestral show of no particular importance.

Socony Vacuum meanwhile is sponsoring sports, news and local stuff. United States Rubber is now sponsoring an elaborate network program with Ben Bernie.

American Telephone & Telegraph has used radio advertising now and again. Usually for extensive one-time special occasion broadcasts. It is noteworthy that as yet none of the largest insurance companies have resorted to the air. While Travelers owns Station WTIC, National owns WSM and Woodmen of the World own WOW the policy-writers in general have eschewed radio.

Steel, too, as exemplified by the largest unit, has ducked radio but smaller companies, American Rolling Mill and Wheeling, have had network shows.

Radio explains the Association of American Railroads as due to the control of the budget being vested exclusively with men of newspaper bias.

On the list of 29 will be noted Armstrong Cork which since 1937 has embarked on a radio spot experiment under B.B.D.&O.

### Martini to Hollywood

Roland Martini, radio director for the Gardner agency, blows for Hollywood this Sunday (1). It's in connection with the Marion Talley show for Ralston.

He will stay about a week.

## Big Accounts Not on Webs

*[Following are the 29 of the 100 biggest-spending national advertisers, based on radio, newspaper, magazine and farm paper statistics (billboards not included) who last year did not patronize the radio networks.]*

Schenley (17) $3,185,000.
Seagram (19) $3,166,000.
National Distillers (21) $2,948,000.
Goodyear (23) $2,606,000.
*Socony-Vacuum (28) $2,139,000.
Frankfort Distillers (37) $1,715,000.
Goodrich (41) $1,635,000.
Westinghouse (48) $1,391,000.
A. T. & T. (51) $1.306,000.
Norge (52) $1,295,000.
Walker Distillers (53) $1,293,000.
Eastman Kodak (57) $1,219,000.
International Harvester (58) $1,
Metropolitan Life (60) $1,122,000.
Armour (62) $1,107,000.
Johnson & Johnson (70) $971,000.
E. R. Squibb (72) $950,000.
†U. S. Rubber (75) $845,000.
U. S. Steel (77) $789,000.
Canada Dry (78) $764,000.
Northup Warren (Cutex) (80) $757,000.
California Packing (81) $753,000.
General Cigar (82) $753,000.
Standard Oil of N. J. (84) $736,000.
Standard Oil of Indiana (86) $727,000.
Park & Tilford (87) $721,000.
Association of American Railroads (
Beech-Nut (91) $709,000.
Somerset Importers (92) $708,000.
Armstrong Cork (94) $692,000.
Congoleum Nairn (96) $667,000.
Continental Distilling (98) $657,

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* Now uses sports, locals.
† Since sponsoring Ben Berni

## Offer Ethel Barrymore In 'Jalna' Adaptions

Ed Wolf, the talent agent, in conjunction with the William Morris office is offering for radio sponsorship a series built around the 'Jalna' novels of Mazo de la Roche.

In the layout Ethel Barrymore is starred. Actress is current on Broadway in the legit 'Whiteoaks,' which was dramatized from one of Miss de la Roche's books.

## FREDRIC MARCH CUFFO FOR ANTI-ISM AIRSHOW

American Union for Democracy sponsors a half hour informal gab series on station WQXR, N. Y., starting May 3 to combat assorted isms. Program seeks to influence upper crusters, the type of people who can influence others.

Newbold Morris will address first gathering in company of Mr. and Mrs. Fredric March. It's first radio appearance for latter who have repeatedly turned down commercial radio. It's on the cuff for them this time.

## ACTOR WALKS OUT

### But He's Recaptured by the Management of Texas Follies

Huntsville, Tex., April 26.

W. W. Stansberry, scheduled to play 'Red River Valley' as a member of the Texas Prison Rhythmic Swi sters string trio last Wednesday night (20), during the prison broadcast over Station WBAP, Fort Worth, walked out the day before broadcasting.

Was recaptured later and thrown into solitary confinement.

Jacksonville, Fla., April 26.

Prison show from state pen at Raiford increased 15 minutes to run full hour over WMBR here. Growing increasingly popular.

Prisoners personally give testimonials over the air that crimes don't pay.

## 33G Transcription Divvy

Licensing bureau of the Music Publishers Protective Association will distribute this week $33,000 collected during the past month from transcription sources.

Included in the latest divvy is $7,000 received from NBC's recorded program library.

## JAGER-REITER GUEST STAR POLICY

irgil Reiter, v.p. in charge of sales for the Transamerican Broadcasting & Television Corp., and Pete Jager, Chicago manager for the firm, will exchange spots this week. Jager is coming on to New York and Reiter is going back to Chicago for several months.

Move will give Jager a chance to become acquainted with eastern accounts and agencies. Pair formerly had their own station rep organization in Chicago.

## WOMEN'S COMMITTEE LUNCHEON ON MAY 4

Women's National Radio Committee is tossing its fourth annual luncheon next week (4) at the St. Regis hotel, N. Y. David Sarnoff, William S. Paley and Alfred J. McCosker will be among the speakers. Awards will be given for outstanding achievement of the year in radio.

Other speakers on the list include Frank R. McNinch and T. A. Craven of the Federal Communications Commish, George Denny and Eddie Cantor.

## NBC OVERTURES LEVERS

### Elaborate Presentation Made to Get Lux Account to Return

Lever Bros. has under advisement an elaborate presentation which NBC submitted as part of a campaign to wean away the Lux Radio Theatre from CBS. NBC had the show on the blue (WJZ) link up to the summer of 1935.

Even if the soap manufacturer agreed to move the Lux stanza over to NBC, the Al Jolson and 'Big Town' programs wouldn't have to travel along with it in order to earn the maximum discount. Lever Bros. also underwrites the 'Big Sister' serial and 'Aunt Jenny's Real Life Stories' on CBS.

Lux, Jolson, and 'Big Town' sessions are slated to start their nine-week layoffs the middle of July.

# SUPPLEMENTAL AGREEMENT OFFERED BY NBC, GOVERNS PRICE OF BLURBS

### William Hedges Denies Clause 5 Hits Station Privilege on Chainbreaks—Network States Its Move to Standardize Practices—Some Opposition

Some of the terms contained in the supplement to the network affiliation contract which NBC has asked its station to signature are expected to stir up some opposition. This supplementary pact not only restricts the station's compensation on ti -in announcements to 7½% of the outlet's hourly network rate, but has the station agree in writing not to use any commercial announcements during a network commercial program. Latter is being interpreted as including chainbreak announcements.

Under the system now prevailing affiliate stations are free to charge whatever they will for such tie-in announcements. NBC agreement would establish a precedent, in that there has never been a national rate for tie-ins on any network. How the standard rate would affect some affiliates is indicated from a study of the rate card of WLS. Latter station rates the localized tie-in as a special service and has a flat fee of $75 per such announcement, regardless if it is on at night or during the day. With the NBC arrangement in effect, WLS, for example, would get .25 at night and $33.75 on daytime shows.

William S. Hedges, v.p. in charge of NBC's station relations department, declared yesterday (Tuesday) that he had not heard of any opposition to the supplement from affiliates. Some stations have been charging, he said, too much for tie-ins, while others haven't been charging enough. This agreement, added Hedges, is merely an effort on NBC's part to standardize the thing throughout the whole network setup. Hedges also pointed out that clause 5 did not in any way refer to anything the affiliates may do during station identification periods.

Terms of the supplementary agreement affecting tie-in announcements which NBC is asking its stations to sign and return follows:

1. *You agree to supply upon order from us the services of an announcer in your studios for the purpose of broadcasting, either from your station alone or from your station and to a network of stations, any announcements we may request on any network commercial program broadcast from your station, provided such order is received by you not less than 48 hours in advance of the program on which the announcement is to be made.*

2. *Either simultaneousy with the placing of such order by us or as soon thereafter as possible, we agree to supply you with the text of such announcements together with the necessary instructions as to the time and place in our network program during which we desire such announcements to be made and you agree to make such announcements in accordance with our instructions.*

3. *We may cancel any such order for announcements without liability on our part provided we do so upon not less than 48 hours' notice to you, failing which we will pay you the compensation you would have received if the announcements had continued as scheduled for 48 hours following receipt by you of such notice of cancellation.*

4. *In the daily reports which you send us on network programs broadcast by your station, you agree to include a statement of announcements broadcast in accordance with the terms hereof.*

5. *During a network commercial program which you have agreed to broadcast you agree not to broadcast without our consent any commercial announcements from your station.*

6. *Approximately fifteen days after the close of each 28-day accounting period, we agree to pay you, for each program broadcast by you during said 28-day accounting period, on which announcements are made by you hereunder at our request, 7½% of your hourly network station rate, applicable to the hour at your station during which such program is scheduled to start.*

7. *This agreement shall become effective as of 3 A.M., E.S.T., on the........day of............193..*

*If the agreement herein proposed is satisfactory to you, will you kindly indicate your acceptance on the copy of this letter enclosed for that purpose and return that copy to us.*

## Pawdon Mah Mooching

mployees of New York radi stations were exchanging notes last week on the operations of a nattily-dressed moocher who has been taking them by posing as the son of a prominent southern family.

After making the original touch with the plea that he needs it for repairs on his car, the fellow makes a practice of returning the next day and, posing as the brother of the original touch, prevails upon an underling to lend hi a few bucks.

# Paragraph-Jumper Cut Off WCAU; Files Damage Suit; Local Political Uproar

Philadelphia, April 26.

Suit for $100,000 damages was filed last Friday (22) against WCAU by a politician whose speech on bought time was cut off the air by the station on Wednesday night. Austin Meehan, Republican ward leader, whose gab was sliced, and other execs of Pinchot-for-Governor Committee, for which Meehan was speaking, also indicated they would seek an injunction against WCAU so they can be assured of 'freedom of speech' on future airings. Committee had already contracted for a number of additional hours between now and the primary on May 17.

Control man at the station pulled the plug on Meehan under usual instructions to cut if political gabbers stray from the text. Scripts are always gone over by an attorney before they are accepted for broadcast. Meehan didn't actually deviate from the script. He merely skipped a paragraph without warning the panel man in advance. Engineer, not noticing that Meehan had merely omitted, thought he was getting off the path and obeyed orders to slice.

Meehan's contention, as cited in his bill, is that the station's action not only held him up to ridicule, but that the intimation was made by it that he intended to make a libelous statement.

Levys f l that they have little to fear from either the civil suit or complaint to the FCC, as both sides have points on which they were right. Pinchot committee is using the cut-off as a cause celebre and means to publicity.

**alter Bishop,** WRVA Richmond's exec, back at his desk after a two-week illness. The mumps.

## STARTED SOMETHING

### Cincy Is Full of Radio Showmanship Attention-Getters

Cincinnati, April 26.

Showmanship rivalry among local station execs is perking up.

WLW and WCKY are holders of VARIETY citations. Also now in the picture are James D. Shouse and Bob Dunville, from KMOX, St. Louis, as respective heads of Crosley's WLW and WSAI, and William A. Schudt, Jr., from WBT, Charlotte, to manage WKRC. At their former stations these three men shared in VARIETY showmanship citations.

Last week WSAI had the exclusive line into the Spring Horse Show, a local society event of the year, for pickups on the three night performances. On the afternoon of the premiere, WKRC had a studio program in which Mayor Hiram E. Tuttle, coach of the U. S. Army championship Olympic dressage team and headliner of the horse show, was interviewed.

WKRC and WSAI had lines at the speakers' table of the Variety Clubs of America convention banquet, Sunday (24). Night before WKRC did a pickup from the Cincy Variety club's tent on which national officers and delegates from distant points were quizzed.

WCKY and WSAI are devoting special coverage to luncheon meetings for Community Chest workers, with direct pickups.

# BOAKE CARTER IS OUTLETED IN CINCY

General Foods has decided to let the Boake Carter broadcasts stay on WKRC, Cincinnati. Account had been considering having WLW take the program off the air on wax for a later hour release, but the situation was solved Monday (25) when Carter added a second rebroadcast for the midwest territory.

Carter's three broadcasts from Philadelphia now go on at 6:30 p. m. EDST for the eastern listeners; 7:15 p. m. EDST for the midwestern area, and 8:45 p. m. EDST for the mountain and Coast regions.

## Phillips Magnesia Sponsors 'Stella Dallas'

Phillips Chemical (magnesia) takes on 'Stella Dallas' over 43 NBC-red stations, starting June 6. Account, which currently has 'How to Be Charming' thrice weekly on NBC, will drop that program with May 27 broadcast. 'Dallas' will air Mondays through Fridays, 4:15-4:30 p.m.

Tetley tea has been sponsoring 'Dallas' script serial this season, but withdrew last week. Blackett-Sample-Hummert is the agency for both accounts.

# C.I.O. Strategist Would Hitch Labor Clause to Broadcasting License

Washington, April 26.

Big stick with which to compel broadcasters to do business with the American Radio Telegraphers' Association was sought from Congress last week by Lee Pressman, former New Deal braintruster, who is general counsel and strategy director of the CIO.

Urging legislation to strengthen the Labor Relations (Wagner) Act, Pressman suggested to the House Judiciary Committee that a bill requiring all Federal contractors and monetary beneficiaries to promise in advance they will respect orders and decisions of the Labor Board be broadened to include every holder of a radio ticket. Penalty would be loss of operating permit.

Bill which Pressman was backing is sponsored by Senator Wagner of New York in effort to compel the Metropolitan Water District of Southern California to recognize a CIO subsi . Specifies that every grant or loan of funds by Federal agency must contain covenant binding benefici to live up to the Wagner act.

Radio licenses are comparable to cash handouts and contracts for goods or services, Pressman suggested. If the bill is not broad enough, specific reference to broadcasters should be inserted. Since they get the opportunity to use a natural resource, radio people ought to meet the same obligations as persons who receive government money.

Suggestion id not make much impression on mei of the subcommittee hearing Pressman's testimony. Rep. Emanuel Celler, chairman, had no reaction. Other members seemed comparably desinterested.

Bill requires affected persons to comply with all certifications of collective bargaining and other decrees. Must promise they will not engage in any unfair labor practices as set forth in the act. Breach of pledge will justify the Federal agency concerned to cancel the contract or terminate the grant or loan.

## May Best Show Win

Indianapolis, April 26.

Candidates for the nomination for the office of mayor of Kokomo are battling it out with swing music, with the soft pedal on the speechmaking. Incumbent Olin R. Holt tours the streets with an open truck on which rides a five-piece jive band and girl trio. Holt plays to street corner gatherings answering any questions the voters may care to put to him.

His opponent, Walter Koontz, has hired a hall and presents a nightly jam session provided y members of the WPA talent group. Tap dancers, singers, orchestras and washboard bands whoop things up and the meeting is dismissed without speeches, Koontz being satisfied merely to sit on the grandstand and smile nignly at his constituen .

## KRISPIES' NAVY HERO

### Hays MacFarland Has Part of Kellogg Account on NBC

Kellogg has bought kid-appeal meller, 'Don Winslow of the U. S. Navy,' off NBC-red and starts bankrolling program over a split network on May 2. Will ride Mondays through Fri piped out of Chicago.

Product plugged will be Krispies. 'Winslow' has been on the web sustaining for some time. Hays MacFarland agency recently got this section of Kellogg biz. Kellogg had a Summer show last year with East and Dumke set locally in N. Y. via Kenyon & Eckhardt.

## WICC, Bridgeport, Out 100% on Boston Games

Bridge rt, April 26.

ICC out entirely so far as participating in Boston major league home-game broadcasts (Kellogg-Socony) on Colonial network is concern . irst advised that it would be allowed to carry only National league schedule, station was later told that it was banned from both Red Sox and Bees play-by-plays miked by Fred Hoey.

Prohibition is a tough break resulting from location of WICC transmitter within 50-mile New York hoi territory radius in which major circuit regular-season broadcasting is forbidden. Reports that New York Yankees were responsible for WICC taboo because of concern about competition to Yankee station b. o. were denied last week in letter to Bridgeport press by Col. Jacob Ruppert, who stated that both leagues had agre on ban.

WICC immediately took steps to hold as much of afternoon audience as possible by building two-hour daily session of baseball and turf reports.

Bridgeport situation and WTHT's divided attention to Hartford Eastern league home games and Colonial Boston coverage adds up to a nice thing for WBRY, Waterbury-New Haven, only Connecticut station carrying all the Beantown majors' schedule.

## Kastor's Cocoa Man

Chicago, April 26.

Ed Davis has been named v.p. in charge of new business of the H. Kastor ad agency. Davis was formerly in the cocoa business, servicing most of the big candy companies in the midwest.

Has considerable connections around big business in this part of the country and w. among advertising fraternity.

## Audition Elsa Maxwell

Marschalk & Pratt agency auditioned a half-hour program at NBC on Monday (25) afternoon. Talent included Elsa Maxwell, Mary Small and Will Osborne's orch.

Mort Lewis produced for the agency.

### Downey on Pearce Show

Morton Downey set to guest on the Al Pearce (Ford Dealers) program on CBS, May 10. eek before Loretta Lee will one-time n the variety show.

N. Ayer the agency on the account.

### Hollinbery's Atlanta Branch

Chicago, April 26.

George Hollingbery rep firm has opened a southern office in Atlanta.

Hollingbery has appointed George Kohn to head the Geor ia post.

# METRO SHOW CUES LAYOFF POLICY

Maxwell House Coffee will take its first summer vacation from NBC in seven years when the MGM show goes into retirement for eight weeks, effective with the June 30 broadcast. Move indicates a drastic reversal of policy on the part of NBC with regard to holding choic time for accounts that want to duck out for the warm spell. It is understood that NBC is now agreeable such vacations if the account's annual billings amount to $2,200,000. In addition to an eight-week dropout an advertiser spending thi amount of money is also entitled to a 10% discount. NBC had to change its discount volume scale in order to wean over the General Mills business from CBS.

Ralph Butler, General Foods ad manager on Maxwell House, flew out to Hollywood Saturday (23) ith Atherton Hobler, of Benton & Bowles. Before he left Butler explained that the eight-week vacation had been provided for in the original contract with Metro.

# Associated Press Snows Under Proposal to Okay Sponsor Sale of Its News

Overwhel ing rebuff which the publisher members of the Associated Press delivered to the proposal that the news service be made available to radio incurred some measure of surprise among the local broadcast trade, while the reacti the camps of competitive services, such as the United Press, Transradio and the International News Service, was a pleasure. Turndown took place at the annual meeting of the AP membership at the Waldorf-Astoria hotel, N. Y., Monday (25).

Opposition was led by A. H. Sulzberger, publisher of the New York Times, who held that the sale of news to air advertisers would not be for the benefit of the AP, as such, but for some AP members. Others that took part in the anti side of the debate were John D. Jackson, publishers of the New Haven Register; David B. Plum, of the Troy (N. Y.) Times-Record, and Frederick Sullens, of the Jackson (Miss.) News.

Two most weighty proponents of the idea of permitting radio to have AP were Paul Patterson, publisher of the Baltimore Sunpapers, and Frank B. Noyes, founder of the present AP setup and retiring prez of co-operative news servicing outfit after 38 consecutive years. Patterson headed the subcommittee of AP publishers which brought the broadcasting of news up for a vote. Noyes told the meeting that he had long opposed the thought, but believed the press association could use the extra money which it would derive from radio.

Stipulation on the radio matter was that any AP member who wanted to sell to the air should pay extra remuneration in the form of a special and additional membership.

## Two Women Scripters in Program-Building Firm

Mrs. Pat Dougherty leaves a writer-director spot in Blackett-Sample-Hummert's New York office on May 1.

Will partner with Adele Whitley Fletcher, radio scripter, in an indi program building outfit.

## Alberti's Run Resort

Evelyn Ross, of the Do-Re-Mi harmony team, and her husband, Jules Alberti, have quit radio to operate the Sunset Inn and cottages in South Coventry, Conn.

Albert was Benay Venuti.

### MERRY MACS RETURNED

Merry Macs and Helen Carroll, swingo foursome, set to resume next fall when the Fred Allen show comes back. Has continued through most of the present winter.

Harry Norwood agented.

**Harold Johnson,** manager of KFRO, Longview, Texas, back at station ter trip through midwest contacting ad agencies for biz.

# EXPAND AND KEY C. A. B.

## B.B.D.&O. Idea Waiver Most Radical Yet Demanded of Program Builders

Extreme precautions which advertising agencies have been taking in recent years to protect themselves against suits for infringement of radio ideas has been extended to include indie program builders who have been established in the business for some time and even credited with several clicks. These agencies now demand that the indie producers signature the same waivers or releases which are submitted to laymen.

Indie producers or program brokers are not opposed to signing some sort of waiver, but they do think that the agencies are exercising too much presumption when through such releases they seek to have the professional program builder yield every right to the protection of his property. Protests against the wording of the waiver meet with a we-can't-help-it shrug and the assertion that unless the paper is signatured as is there will be no listening to the waxed audition.

What is rated among indie program men as the most inclusive and sweeping waiver in the business is the one that Batten, Barton, Durstine & Osborne had adopted as the one form for everybody. It reads as follows: 'I understand that the established policy of your compnay is to refuse to entertain or receive ideas or suggestions except on the distinct understanding that they may be used by you or your clients without any obligation whatever to the person submitting them. Anything I submit to you or your company will be on this basis: disclosure by me of any idea or suggestion is gratuitous, unsolicited, without restriction, and involves no confidential relationship between us.'

## CBS MILDLY AGIN 500 KW.

Washington, April 26.

Columbia is being different.

While keeping fingers crossed, CBS execs last week decided to let the other fellows waste their time, money, and energy arguing why super-power should and should not be permitted in the U. S. Reserving the right to want in, if the Federal Communications Commission does the unexpected and lifts the present 50 kw. lid.

Only super-power requests of a CBS station—for KNX, Los Angeles—was yanked back just before the deadline. It was inherited when the web took over the West Coast outlet and conflicted with the organization idea that there is no need for installing expensive apparatus when other moves will result in better service to the public and to advertisers.

Expected that CBS will argue against any boost, but not so strongly as to prejudice any future application for more juice. This was the stand William S. Paley, web president, took at the 1936 engineering field day when he advised caution in opening the door for any radical innovations.

### SLEEP SERENADE

**Aims to Advertise Listeners Into Nocturnal Coma**

San Francisco, April 26.

Tabbed 'Sleep Serenade' by its mattress company sponsor, a new commercial program made its bow on KPO at 9:15 p. m., Sunday (24) under aegis of McRoskey Airflex Mattress Company. Show, which actually is planned to put listeners to sleep, was planned by the Emil Brisacher agency, has George Nickson, tenor; Paul Carson, organist, and Herb Allen reading poetry.

Airflex outfit auditioned new show over ten months ago. They had been sleeping on it since then.

### Familiar Malady

Hollywood, April 26.

Blame for that bald spot on Mann Holiner's turret has been thrust at Bob Hope. Before Holiner moved here from the east as Coast radio head for Lennen & Mitchell he had Hope under three-year seal. Somehow or other the firm let the comedian get away.

Now that he's one of the hottest bets on the air the wags crack Holiner has been tearing his hair.

## HECKLES PALEY WITH ROSE PETALS

A heckler who ended by proposing a vote of thanks to Bill Paley enlivened last week's (20) stockholders meeting at Columbia Broadcasting System. With less than a dozen stockholders not on the CBS board present and with a sprinkling of reporters also on hand the question-asker, believed to represent some 10 shares, began in what seemed a fault-finding tone but tapered off into a thanks routine. Whereupon the thankee, Prez Paley, returned thanks to the thanker.

Announced that net for first quarter was $1,494,980, which breaks down to 88c. per share, or 11c. more per share than the divvy for first quarter last year. Gross was $9,084,345.

All 16 officers were reelected. As 'A' directors remain Herbert Bayard Swope, Prescott Bush, Paul Kesten, J. A. W. Iglehart, Ed Klauber, Samuel Paley, Dorsey Richardson. B's are Ike Levy, Leon Levy, William S. Paley, Jacob Paley, Mefford Runyan, Jerome Loucheim, Ralph Colin.

## SPELLING BEE GETS HOLLYWOOD OPENING

Baltimore, April 26.

'Hollywood opening' for spelling bee, conducted here over WBAL by Paul Wing in which Waverly Spelling Club, oldest word building organization in country, participated, had local Fire Department floodlights illuminating entrance to Ridgely Hall, specially engaged for public airing. Also a sidewalk mike for attending celebs. Stunt set by H. C. Burke.

Attracted capacity audience and newspaper art.

## NBC Encore

San Francisco, April 26.

History repeated itself Friday (22) at NBC's office at 111 Sutter street with a second fire in seven days in the Education and Audience Mail Departments. Second fire broke out when materials used by painters ignited by spontaneous combustion. Repeat blaze occurred exactly one week almost to the hour after the fire on Good Friday.

In an effort to escape the explosion last Friday, one of the fireman broke the stained glass window which decorates the office of NBC Manager Lloyd E. Yoder. Damage was nominal.

**Berigan Subs for Dorsey**

Bunny Berigan orchestra will replace Tommy Dorsey's outfit on the latter's Raleigh-Kool cigaret radio commercial for one airing June 22.

Berigan fills the gap while Dorsey takes a short vacation.

## 25% MORE CALLS; BY INCOME GROUP

**Cooperative Analysis of Broadcasting Meets Criticism by Increase and Modified Method**

### STARTS WITH DST

Cooperative Analysis of Broadcasting will increase the sample it takes of the radio audience by 25%. An annual tally of 509,000 completed telephone calls will be made hereafter. This is an increase from 408,000 completed calls. Same number of towns, 33, and same calling hours will be followed.

By this tactic C.A.B. makes an important move to meet the criticism, sometimes heard, that the sample is not large enough. And, in a further broadening of its base, the future surveying will be organized to reflect income levels instead of merely reflecting unanalyzed telephone homes.

During the past year, as a preliminary to this change of methods, C.A.B. hs spent $7,000 on tests to arrive at statistical conclusions as to the distribution of telephone homes by economic level. C.A.B. expects to answer the non-telephone home argument by proving that the sample it takes correlates with demonstrable percentages in the other group.

No predictions are possible with the 25% increase in the sample but a lower income level raise in response is expected: 'D' homes will get lots of attention. Separation of telephone numbers by economic level is a problem that will require plenty of work, it is admitted.

A. Wells Wilbor, of General Mills, goes on the C.A.B. board of governors by invitation of the Association of National Advertisers. With Chairman D. P. Smelzer, of Procter & Gamble, and Chester Lang, of General Electric, the sponsor side is completed. L. H. D. Weld, of McCann-Erickson, and George Gallup, of Young & Rubicam, represent the agencies.

Al Lehman, manager of the A.N.A. and supervisor of the survey, appeared by invitation at last week's convention of the American Association of Advertising Agencies in White Sulphur Springs, West Virginia, to explain the history, present status and future plans of the C.A.B.

## 346 Non-Networks Gross $18,000,000; About 100 Exempt from A.F.M.; Indies Clear Way for Pact

Negotiating committee for non-network affiliated stations got together last week with the executive board of the American Federation of Musicians on a preliminary basis of settlement of the musicians employment proposition. Indie broadcasters will under the terms agreed to spend about 5.5% of their gross income for musicians and abide by practically all the other conditions which were made part of the AFM's pact with the network affiliated stations.

It is expected that it will take at least a month before the committee will be able to submit each station's quota for musicians to the union. Very little difficulty in putting the completed plan into effect is anticipated since the indies have the machinery set up by the affiliated group to serve as a model for their procedure. No further move will be made by the AFM to work out a licensing agreement with transcription manufacturers until substantial progress has been made by the indies' committee in lining up their stations with local unions a new two-year contract.

Indications are that over 100 of the non-network stations will be exempt from the question of musician employment because of the lower level of their grosses on time sales. It is figured that the 634 commercial stations in this country and Canada grossed a total of $125,000,000 last year. Of these stations 346 have no network affiliation, with their total gross of $18,000,000 representing but a seventh of the aggregate money shown on the books of all local outlets. The 346 stations spent around $700,000 for local musicians during 1937.

### Symphony with Eggs

Because of being primarily a highbrow musical station, WQXR, N. Y., was stumped for an unusual event for forthcoming National Music Week, May 1 to 7.

Finally hit on a solution and adds one hour to regular station schedule (usually starts at 2 p.m.) with a special 'Breakfast Symphony' from 8 to 9 a.m.

## PROGRAMS TO GET RIGOROUS SURVEY

Washington, April 26.

Another snowstorm of questionnaires will blanket the radio industry. F.C.C. wants still more data before going to bat with the licensees on the question of upping present maximum power limits.

Plus the lengthy quiz blanks already sent out to get financial dope, Commish is readying sheets which will bring in information about the types of programs and the amount of employment. Idea is to see how the listeners and the workers would be affected if 500 Kw is permitted and both the economic and technical structure is revamped.

Facts demanded of licensees are (1) how many persons were employed in different branches of each station and what type of entertainment, culture, and advertising went out. Info wanted for week of March 6.

With replies to financial questionnaire already being analyzed, Commish statisticians plan to make a break-down several ways. Will find out how many people work for locals, regionals, and clear-channel plants; how many in each city and state. Expect to discover similar facts about what listeners get in the way of dance tunes, politics, religion, education, gags, and what-not.

## More on Radio News Inaccuracy

**Des Moines Editor Echoes Detroit Complaints—Thinks Broadcasts Should Explain Missouts**

Des Moines, April 26.

Mary Little, radio editor for the Register and Tribune and Sunday Register here, owners of stations KSO, KRNT and WMT (Cowles) says 'amen' to the squawk of Herschell Hart of the News, Detroit, in VARIETY regarding the wrong information being dealt out by radio columns because their editors are not sufficiently protected by news sources on last-minute changes.

Carrying Columbia and NBC blue on their own stations and giving the listing daily of WHO (competitive local station) on the NBC red, the headaches for the Register and Tribune on 'inaccuracies' seem to be developing into the migrane type and the squawks by telephone and letter indicate the listeners are pretty irked, too.

Miss Little dislikes apologies worse than inaccuracies and lets most of them ride unless there's a bona fide reason such as Milton Berle's inability to appear because of the death of his father. However, for such 'boners' as the Justice Crater disappearance act scheduled on Rinso's program recently, she fails to see any reason why she shouldn't have been notified in time for a correction inasmuch as it is alleged to have been a matter of legal technicalities to be ironed out, and it's a cinch the shows aren't thrown together in a couple of minutes.

In matters where there's a last minute hitch she sees no reason why it should be detrimental to the reputation of a program to make a brief announcement at the start of the program telling listeners of any necessary changes—which would certainly save a lot of headaches to say nothing of creating goodwill.

Miss Little believes that Columbia stands out as the worst offender here. She feels she has been spending altogether too much time lately sending in squawks in this direction—and with no improvement yet seen in the handling of corrections. She states that at least one private press agent, Earl Ferris, has always been alert in making corrections and she fails to understand why the networks publicity departments couldn't do as well.

## WATSON JOINS HEARST DISC

Loren L. Watson has resigned from the sales staff of Associated Music Publishers, Inc., to become eastern manager May 1 of International Radio Productions, the transcription producing division of International Radio Sales. Ed Harvey, who has had the latter assignment, will handle special matters for Hearst Radio, Inc.

Watson, who at one time was v.-p. and gen. mgr. of WGST, Atlanta, has handled the sales of Associated's recorded program library for four years. Prior to going into radio Watson was with the Victor Recording Co. for five years.

While International Productions has its own recording studios in Hollywood, the outfit will do its transcribing in the east through RCA.

### GOODRICH MOVE STINGS

**Newspapers Resent All-Radio Budgeting in San Francisco**

Move of Goodrich Tires in yanking newspaper advertising to concentrate on radio baseball broadcast sponsorship is provoking reciprocal action by papers. Several local rags have given orders that baseball be eliminated in program listings.

Action hurts General Mills Wheaties, which alternates with Goodrich as sponsor of daily ball games airings.

**Harry W. Flannery, KMOX,** Louis, news commentator, was guest speaker at radio advertising class of City College. Paul Phillips, KMOX continuity editor, professor at school.

# Canada May Slap Higher Border Tax on American Transcriptions

American transcription makers and ad agencies are considerably worried over a customs ruling they hear is brewing in Canada. Afoot there is a government plan to considerably up cost of transporting wax across the line from the U. S. into the Dominion.

At present the system is to send over only the master of each transcription, and the copies are pressed, generally in Toronto or Montreal. Present excise imposed by Canadian customs is 50% of the worth of each master, which ranges, ordinarily, between and $8. This method is used because it is rare that more than ten copies of any episode of a transcription series is needed in Canada. Few are the commercial disc campaigns that are spread over more than ten stations simultaneously.

From reports coming into New York on the proposed upping of customs tariff it is hinted that the Canadian government plans to slap a flat $25 fee on every master crossing the border. There are, further, hints that Canadian show biz, radio and transcription-making circles are behind the tilting of fee, pointing out that by lessening American domination in the market, more Canadian talent will eventually be used.

## MARITIME TOWNSHIPS YEN FOR CBC BIGGIE

St. John, N. B., April 26.

Decision of the Canadian Broadcasting Corp. to build and operate a high-powered station somewhere in the Maritime Provinces has led to a battle among a number of communities in New Brunswick and Nova Scotia for this plum. In the running are the towns of Sackville, Port Elgin, Dorchester, Shediac, and cities of Moncton, St. John, Fredericton, in New Brunswick; towns of Amhersl, Springhull, Truro, New Glasgow, Fictou, Windsor, Dartmouth, Kentville, and city of Halifax, in Nova Scotia.

By the addition of such a new station CBC hopes to compete effectively with the U.S. networks and individual Boston stations in maritime listener interest. Boston stations, particularly, have come in strongly.

## VANCOUVER SQUABBLE

### British United Press Claimed by Both CJOR and CKWX

Vancouver, ., April 26.

Contract mix-up on wire services has local newscasters at each other's throats, with both CJOR and CKWX claiming right to broadcast British United Press.

Vancouver Sun holds BUP contract and claims right to use its dispatches in twice-daily airings over CKWX, which station buys no news service itself, depending entirely on the Sun. CJOR pays plenty each month for news and is anything but happy at CKWX set-up in any case, but now states station manager brought broadcast rights to BUP when in east last month.

Fact that the Sun buys CP and AP service in addition to BUP is making it tough for CJOR to carry out threat of a squawk if Sun broadcasts any BUP news, as it is almost impossible to tag origin of the broadcast dispatches.

## Doyle Adds 4SB

Sydney, March 29.

Albert-Doyle Commonwealth Broadcasting network has added 4SB, Kingaroy, Queensland, a commercial station, to its chain.

Stuart Doyle formerly active in the picture business but recently more interested in radio.

## 'Jimmy Allen' in Canada

Toronto, April 26.

J. Walter Thompson agency has placed 'Jimmy Allen' discs on ten Canadian stations: CKY, Winnipeg; CJRM, Regina; CFQC, Saskatoon; CFCN, Calgary; CFRN, Edmonton; CFNB, Fredericton; CHSJ, St. John; CBO, Ottawa; CBL, Toronto; CKLW, Windsor.

Sponsoring is the British-American Oil Co. Grow & Pitcher, Toronto transcription outfit, made the discs.

## DELINQUENTS' NAMES AIRED IN HUNGARY

Budapest, April 15.

Radio set owners in Hungary who do not pay their state tax are put through the humiliation of having the fact read over the air, along with the amount of their fines. Latter usually are double the monthly fee for owning a set, $2.40 in U.S. money.

Radio is non-commercial and government operated in Hungary. And method of embarrassing non-payers of tax makes for few of them.

## *Gov't Station*

(Continued from page 1)

of New York and Lex Green of Florida.

### Nazi Propaganda

Nearly ready to report to the President, special interdepartmental group which has been studying ways of making greater use of broadcasts planned particularly for South America will recommend the U. S. combat Nazi and Fascist propaganda via the airwaves. Committee is agreed on desirability of Government resort to radio to combat European ideas and currently is grappling with details, such as type of programs, possible use of commercially-owned stations, talent supply, operating costs, etc.

Legislation comprising Government entering wedge in radio operation contemplates erection of potent station to be run by the Navy for sole purpose of spreading U. S. culture and tightening bonds between this country and the Latin Americans. Would not permit commercial advertising, although private interests would be able to use the transmitter if they made no attempt to acquire profits.

All bills more or less similar. Green wants the station in Jacksonville and Celler in Washington. Chavez bill, jointly sponsored by Senator William Gibbs McAdoo of California, picks San Diego, leading naval base, as the site.

President Roosevelt's friendliness toward the general idea was made known last week by Secretary of the Interior Ickes. Told the House Naval Affairs Committee that he was advised by the Budget Bureau that legislation which would accomplish the objective—providing cost is reasonable—'would be in accord with the program of the President.'

More support came from the Navy Department, which asked for more money than the $700,000 construction fund and $100,000 operating allowance proposed in the Celler measure. If the appropriation figures are increased, the admirals have no objection. War Department, however, was skeptical of the need for a station, although conceding it might have some value in time of war and national emergency.

## Italian Shortwave

Rome, April 12.

Italy broadcasts for listeners outside Italy in 19 different languages. For Latin America there are broadcasts in Italian, Spanish and Portuguese; for the Far East there are broadcasts in Chinese and Japanese. Furthermore, there are news broadcasts in Bulgarian, Rumanian, Hungarian, Serb, Greek, Spanish, English, French and German. There are occasional broadcasts in Danish and Russi

## Azcarraga Due in N. Y.

Emilio Azcarraga, owner of Mexican commercial border station, XEW, is coming to New York on a business trip middle of next month.

Also owned by the showman is the Alameda theatre, presentation hou in Mexico City.

### Columnist Jockeys Discs

Washington, April 26.

Chris Heurich Brewing Co. has Tom McCarthy, local newspaper columnist, for a six-day-a-week series of recorded programs, 11:15 to 12 midnight.

Solicits request dance numbers from knob-twiddlers.

## Appeal to Negroes

Longview, Texas, April 26.

KFRU has fallen in line with a growing trend among southern stations to build programs aimed at Negro audiences. Majority of Dixie broadcasters, however, still ignore the colored market in the matter of specific appeal.

Broadcaster has a weekly 'Harlem Revue,' using all-Negro talent, and circulates heralds in colored residential areas to attract attention to the show. Majority of southern stations still do not use any colored performers.

## SET TAX TILT EXPECTED IN ENGLAND

London, April 19.

'City' opinion anticipates 50% jump in price of radio licenses as part of national Budget proposals, due April 26. All set owners now pay annual dues of 10 shillings, ($2.50), but the guess now is they will be upped to 15 bob, though battery-operated installations may still be licensed at the original rate.

No likelihood of special additional licenses for television sets is indicated, although this would be popular with B.B.C., as source of extra revenue, and with radio owners who squawk at their license money being used to subsidize television.

(Number of television installations in the British Isles is widely 'guessed' from a low of 600 to perhaps 2,500 at present, according to what New York sources relate.)

## MEXICANS' CUFFO DATES FOR SAN ANTONIO SHOW

San Antonio, April 26.

Visiting name Mexican performers work free on the only Mexican-language program airing here, over KABC. Show rides daily for 90 minutes, studded with participatory spots.

Performers go on gratis in the name of patriotism. Among those who have done so when passing through San Antonio are Agustin Lara, Pepe Guizar, Chuch Monje, Paul Rodriques, Marie Conesa, Jose Bohr, Antonio Frausto and Lola Camarillo.

## HARBORD'S WORLD TOUR

### Proceeds to Circumnavigate Globe After Radio Convention

Sydney, April 2.

Gen. James G. Harbord of Radio Corporation of America goes on from here to complete a trip around the world. He is delegate to the First World Radio (Engineering) Convention promoted by the Australian government as a part of its 150th anniversary celebration.

Sir Ernest Fisk of Amalgamated Wireless has charge of the convention. Sir Noel Ashbridge of B.B.C. from London also present.

Big social doings in connection with the radio internationale. All overseas guests are on the government's hospitality.

Gen. Harbord ships from here on the S. S. Nieu Holland.

## B.B.C. Tennis Good Enuf

Both CBS and NBC have decided not to buy box seals and have their own men go abroad to broadcast the Wimbledon tennis tourney this summer in England. Boxes are very expensive.

Likely that both nets will take the servicing of the tourney from BBC, which will be fed free. Mutual has already notified BBC that it will take such a feeding.

## In Canada

**R. H. lum, Jr.,** transfers this week from Windsor office of Canadian Broadcasting Corp. to traffic dept. in Toronto.

**Ralph Hurco** the new mikeman at CFCO, Chatham, Ont. Formerly with CHML, Hamilton.

## Changing Moods

San Francisco, April .

Mikeman Herb Allen's life Sunday (24) did not lack variety.

At 2:00 p.m., in Oakland Park he broadcast a baseball game for a breakfast food sponsor on KROW.

At 2.20 he turned the game over to a substitute, dashed across the bridge to San Francisco and aired the 'Listen' quarter-hour radio commentary program on KFRC for Shasta water.

At 3:00 he dashed back to Oakland to finish the ball game and at the end of the game he headed back to San Francisco to read soothing poetry against an organ background for a mattress sponsor on KPO.

## FLOWER BED PUBLICITY

### Neon Sign Not Appropriate for Station on St. Louis Campus

St. Louis, April 26.

Because the architecture of the St. Louis University law school in which WEW is located is unsuited for a huge neon sign that General Manager Al S. Foster contemplated having erected to identify the station a large flower bed will be built near the studio entrance. An area on the Lindell boulevard side of the building will be landscaped and the station's call letters will be formed of foliage in a raised bed.

Foster said the money which would have been used in purchasing the neon sign has been earmarked for the lawn and a gardener to tend it.

## Promote Baseball Co-Op

Mutual has sent letters to its stations asking them if they want to promote for co-operative sponsorship a weekly series of programs built around baseball luminaries. Idea came to fore after web signalized ball season's start early last week with a roundup special event show, picking up major league managers and players from key towns.

Program will be tagged 'Play Ball' and will air on Monday nights after 'Lone Ranger.' Spotting is selected because the network wants to hold on to the kid and male audience attracted to 'Ranger.'

Show will be stunted up by having listeners select 'outstanding player of the week,' who will be put on the ether from whatever town he happens to be in at the time. Talent will be asked to cuff it, but if show gets sold, player will get $50 for an appearance, and the sportscaster who gets and interviews him will get a like sum.

## 'Orphan Annie' Skips

Chicago, April 26.

Ovaltine will go off for the summer on June 24 with its 'Little Orphan Annie' show, dropping both network and spot stuff. Had figured earlier this year on going right on through the summer, but account stuck its head back in the shell when the 'recession' came along.

With daylight saving starting this week, account trying to drop off a half dozen or so of the NBC supplementary stations which have shifted time, making it a 4:45 shot for the kid show.

### Prima Beer on WIND

Chicago, April 26.

Bozell & Jacobs agency here has snatched off the Prima beer company account. Is starting an immediate ether schedule for the brew firm.

Going on WIND on a seven-day weekly schedule with a 15-minute slice immediately following play-by-play of ball game. Readying additional spot programs to spread the campaign during the spring and summer.

### Peter Higgins on WKRC

Cincinnati, April 26.

Peter Higgins, Irish tenor, bows this week on WKRC for a series of Wednesday and Saturday evening 15-minute sustainers.

He is playing a return engagement at the Lookout House, nearby Kentucky nitery.

**Merle S. Jones,** gen. mgr. KMOX, St. Louis, will fly to Hollywood (29) to participate in dedicatory ceremony of new studios.

# May Use Yankee Radio Actors In Australia

Sydney, April 12.

Broadcasters, Ltd., operators of stations 2GB and 2UE, Sydney, is talking about doing a lot of importing of American radio artists to play the commercial routes. Already set for migration from the States are Eva Garcia and Howard Milholland. Another outfit with similar ideas is Stuart Doyle's Fidelity Radio Agency. Doyle figures on starting off with an American director of dramatic transcriptions and then following it up with some players.

Australian Broadcasting Commission, operators of the government-owned facilities, became importers of talent two years ago, but it was altogether with concert artists. ABC has had them working on the air and also making personal appearances in local halls at usual concert admission prices. Broadcasters, Ltd., would not go in for the personal appearance phase but confine the imported artists to sponsored programs. Associated Newspapers, headed by Sir Hugh Denison, holds the controlling interests in 2GB and 2UE.

## ARCHDUKE OTTO'S PALS

### Amateur Shortwavers Stir Senti for Hapsburg Pretender

Vancouver, B. C., April 26.

British Columbia Amateur Radio Ass'n is making a publicity bid by petitioning the International Amateur Radio Union, headquartered in Hartford, Conn., to organize all members in a world-wide plea to save Archduke Otto of Hapsburg from Hitler's iron heel.

Idea springs from the fact that the Archduke is a radio ham, and therefore a brother under the skin. He had been in touch with local stations on several occasions before the Nazi coup, broadcasting as OE3AH. All during the hours that Nazi troops were goose-stepping into Vienna the Archduke sat at his set transmitting the news to hundreds of operators in the U.S. and Canada.

Idea is to ask Hitler to give Otto a break should he be extradited from Belgium, and incidentally publicize the communication value in having the hams around.

## Feder-Furman Settlement

Suit for violation of contract which Daniel Feder had brought in the N. Y. supreme court against Norman Furman, time broker in the foreign language field, was settled last week upon the latter's agreement to pay $500 in cash. Action arose out of Feder's claim that Furman had promised to give him 50% of all the profits that he (Furman) derived from the placement of Alka-Seltzer business.

Feder in his complaint stated that Furman got the account directly through him, after the New York rep for Alka Seltzer had asked him to find some one who was conversant with the foreign language advertising business. Account has been using 26 hours a week on WEVD.

## Cincy's Paul Reveres

Cincinnati, April 2

Robert G. Jennings, sales manager of WLW and WSAI, who is devoting attention to accounts in the east for a few weeks, with NYC as his base, put in the last half of last week at Crosley headquarters in Cincy.

James D. Shouse, general manager of WLW, spent five days of last week in Washington and NYC.

Ken Church, sales manager of KMOX and radio sales representative in St. Louis for CBS stations, visited William A. Schudt, Jr., head of WKRC, Cincinnati, and William Williamson, sales manager of latter station, Friday (22) and Saturday (23).

Joe Ries, educational director of Crosley's Cincy stations, put in three days last week at Purdue university, Lafayette, Ind., lining up courses for next season's Ohio School of the Air series on WLW.

**Bob deHaven** back at WTCN, Minneapolis, as production manager, after having served at KVOO, Tulsa, since leaving WTCN in 1936.

# Inside Stuff—Radio

'One Man's Family' come April 29 will have finished off a full six years on the air. Carlton Morse, author and director of the series since its inception, wasn't any too enthusiastic about his brainchild when he quit the copy desk of the Frisco Chronicle to carve out a radi career. The first few installments written, he gathered about himself seven unknown air performers to carry along the plot. Today those seven original starters are still in the cast, which should approximate something of a record. Minor characters have come and gone but the seven leaders are still carrying on. They are J. Anthony Smythe, inetta Ellen, Michael Raffetto, arton Yarborough, Bernice Berwin, Kathleen Wilson and Page Gilman, latter the son of Don Gilman, NBC v.p.

When program was tried out on KPO (Frisco) as a sustainer it remunerated Morse around $75 weekly and the cast leads $15 a head. Today Morse is one of the highest salaried writers in the biz, netting around $1,000 a week. Principals are all paid off in three figures. Added starters, who also rate nice wages, are Winifred Wolfe, Walter Paterson and Barbara Jo Allen.

Edgar A. Grunwald, editor of VARIETY's Radio Directory, will be a speaker at the Fashion Group's luncheon at the Biltmore Hotel, . Y., this Friday (29). Will discuss, for the fashion experts, 'Radio's Place in the Perfect Advertising Budget.'

John Karol, head of Columbia University's arket Research department, will talk on 'The Career Woman's lind Spot,' slanting his speech to an audience of working gals who never hear daytime programs. To give them a sample of what they're missing, The O'Neils will appear in person and perfor

CBS is trying hard to line up a sponsor to bankroll the hoss race between Seabiscuit and War Admiral at Belmont Park on May 30. Juicy sports item, which fell into the network's lap because web has a five-day exclusive on all N. Y. state tracks, will be announced by Bryan Field.

Difficulty in interesting prospective sponsors is that the gee-gees will gallop on same day as the Indianapolis auto race, which NBC will air in opposition.

Fortune's current issue (May) is led off by a group of articles dealing with radio. Talent, networks, sets and the Federal Communications Commission are treated. Editors have done a straightaway job with sub-surface and inside stuff largely omitted. Known around the trade that an unusual amount of research, editorial conferences and changes of stance were represented in the preliminaries.

Copy on the 'Ave Maria Hour,' religioso which airs over Inter-City system from WMCA, N. Y., Sunday nights, has been changed. Madison avenue, it is understood, suggested that there be fewer references to miraculous' happenings and 'cures.' Program is put on by the Franciscan Friars of Graymoor, N. Y.

Associated Press last week presented a life annuity to Mrs. Helen N. Neil, widow of the war correspondent, Edward J. Neil, Jr., killed on New Year's Eve in Spain. Mrs. Neil, who has a five-year-old son, is with Columbia Broadcasting System in the press department.

tein is the author of 'Murder on the Nose,' a mystery novel radio which he pseudonymed as George Bagley. His contract ich he joined as the mag's first radio editor stipulates no out-

Public Affairs Dept. of KMOX, St. Louis, under the direction of Jerry Hoekstra, during the 11 months' period ending Friday (15) had 399 15 min. transcriptions to its credit. Divided between educational and cultural, 135, and good will and civic, 264.

Four Leaf Clover, a giveaway mag edited by Edith Nieder, is questionnairing agencies for blos of radio talent. Idea is to offer promotional space for air personalities to p.a.'s. Mag is published by the Clover Farms Store Corp. of Cleveland, O.

# RADIO SHOWMANSHIP

## *(Attention-Getters, Tie-Ups, Ideas)*

**eek Gag**

Los Angeles.

Harrison Holliway put his KFI-KECA special eventer, Jimmy Vandeveer, to work on an idea that it is hoped will win for the transmitter one of the postoffice dept.'s prizes for the best airmail week program.

Idea behind the stunt was to show the progress made in the postal service since the pony express days. Last Friday (22) Buck Jones, astride his picture pony, Silver, made a start from Union Air terminal with a mail sack thrown over the saddle. At precisely the same time an airliner took off. Five minutes later each reported its position, which was short-waved to KFI dialers. Station had men planted on the plane and in a car pacing Jones.

While waiting for the returns, Holliway spotted at the station studio Curley Ayers, 93, who told of the old days when he carried the mails by bronc. ileage covered by each equipage was announced at close of program, a great sendoff for the mails and the Anthony transmitter.

Program was one of the outstanding special eventers since the flood.

Portland, Ore.

KEX will ballyhoo National Airmail Week next month by getting permission from the postoffice to install a P.O. in the station's studios. Will use a special postal station cancel, the first ever to be put into a radio station. Cacheting and mailing will be done on four successive Saturdays, starting this week (30).

Stamp collectors are being asked to send in any amount of envelopes they want plugged for their albums.

artford.

Station WTIC, the postoffice, and three local concerns tied in Saturday night to sponsor a special question and answer program designed to assist local youngsters participating in an Air Mail contest, sponsored by the Post Office Department. Prizes were warded to three winners. Broadcast was from a local school. George Bowe, staff announcer at WTIC, handled the mike.

**Tolls Off-State Glad**

Memphis.

WREC will pick up a remote from Newport, Ark., on May 19, which will celebrate 'Arkansas Free Bridges.' Gov. Earl Bailey will speak, among others.

State recently abolished all toll bridges within Arkansas and the folks are celebrating.

**Grocery Store Tie-up**

Duluth.

To aid in merchandising flour in a new container, advertised on their 'Mother Hubbard's Melody Cupboard' program, Sam L. Levitan, p.a. and special events man for KDAL, devised a counter display that has this burg ga-ga.

New container is drum-like caddy. Levitan has parked these drums on grocery counters throughout this area, with signs reading: 'Look in the Caddy. See the World's Prize Home-Baker.'

Femme peering into container sees her own phiz in a mirror around which is prominently lettered: "YOU—With Mother Hubbard.'

Hausfrauen consider the gag such a nifty that they drag in their friends to take a gander, too, according to grocers' reports. Counter display is one of numerous angle in a comprehensive campaign worked out by KDAL for its sponsor.

**Boner Court**

Oklahoma City.

'Boner Court,' newest program on WKY has studio audience acting as jury for trials of announcers whose boners are pointed out in letters to the station. Earl C. Hull is judge and each announcer is allowed to defend himself before the jury; which has the right to cross examine. Fine of 5 cents is collected on conviction.

# KVOR, IN TOWN OF 40,000, SPENDS 10G TO EXPLOIT NON-SPONSORED PROGRAM

## Pretentious Campaign to Put Station in Solid with Its Community Brings i Three Pepper-Uppers—Probably First Example of Kind in Radio History

Colorado Springs, April 26.

Certainly rare, possibly unprecedented for local broadcasting, is the expenditure currently by KVOR here of $10,000 to exploit a sustaining local program. Colorado Springs has 40,000 population (much retired wealth). After the present budget and campaign is exhausted there will be further spending. All for station sustainers. And for the sole purpose of driving KVOR into the consciousness of the trading area which includes about 200,000 population in all.

Outside money and energy is responsible for this unique episode in small town broadcasting. KVOR is owned by the Gaylord newspaper interests who also control KLZ in Denver and WKY, Oklahoma City.

Campaign to put over a talent hunt program, tabbed 'Road to Fame,' is saturating the area with billboards, heralds, arrows pointing to KVOR, special black and red newspapers, window displays. About every trick, standard and otherwise, in the exploitation bag has been hauled out. Three out-of-town men came in five weeks ahead to get the program and the exploitation under way. J. L. Meyerson, John Blatt and Bill Stephens constituted the fireworks brigade.

Show, now in its third week, is bursting the Hotel Antlers 800 capacity and will move June 4 into the Civic Auditorium seating 4,000. Bernard Vessey, head of the local Rotary chapter, is m.c. of the show which broadcasts Sundays at 3 p.m. with an hour's entertainment for the studio audience after the 30 minute broadcast.

Maximum whoop-de-do stirred up through churches, schools, music teachers and group participation. Awards of grand piano to clubs, etc., brings out big participation of trios, quartets, choral groups and so on. Cash prizes for individuals. Station estimates one in every 200 of population filed an application to participate.

After this splash gradually peters out KVOR will probably buy 'The Lone Ranger' rights for this section from WXYZ, Detroit. But not primarily as a sponsor-baiter. Rather as a further means of impacting the youngsters of the area.

Investment is to create stati popularity and audience loyalty.

## WASHINGTON BUZZ

Washington, April 26.

**Comment** occasioned by the absence of radio attorneys at social brawl of one FCC member lately. Regulator, who has lots of intimate connections among the radio bar and industry lobby, confined guests with radio background to his associates on the Commish, according to reports.

**Congressional** big shots reported grieved over recent incident which looked—for the moment—like more gravy.

News that Senator Hattie Caraway, Arkansan who inherited the post left by her late husband, had received $500 for guesting on Kate Smith's program spread through the capital, with some law-makers figuring maybe the ante could be boosted for male members.

Hopes for cash benefits were dashed, however, when the advertising agency announced sternly there would be no pay forthcoming for Congressional spielers in the future.

## WCAE Disputes KDKA

Pittsburgh, April 26.

Refuting KDKA's claim to current leadership in Pittsburgh local sales, Leonard Kapner, manager of Hearst-owned WCAE, is pointing out that its revenue on home-town accounts from Jan. 1 to April 17, 1938, is 32.6% ahead of same period during 1937.

Last year was biggest in WCAE's history, station doing greatest volume of business, both locally and nationally, since it was founded more than decade ago. From present indications, however, 1938 will top it by a wide margin.

## KSFO Spelling Bee

KSFO has Marney Animal Food Co. of Los Angeles for a new half-hour show, which will debit Friday (29) at 8. Handled through the Long Advertising Service, the new show will be a spelling bee conducted by Tom Brenneman. Contestants chosen will represent various groups such as teachers vs. students, firemen vs. policemen.

Original plan was to have the show originate in one of the local downtown theatres. When the Orpheum, local house under consideration, learned that it would have to hire a standby orchestra, the deal chilled. Weekly passes to theatre were to be the prizes.

**George Hogan Studies Law**

Philadelphia, April 26.

George Hogan has resigned from the gab staff at WCAU to continue study of law at Manhattan University. He has been lined up for an after-dark swing on WNEW to carry his expenses in New York.

Tom Dean, formerly connected with stations in Florida, has joined the WIP spiel corps. He replaces George Sutherland.

## Break-In Audience

Young & Rubicam agency auditioned an audience participation program at NBC Monday ( ) afternoon which is designed to stretch the summer when the Fred Allen (Bristol-Meyers) show lays off.

Allen Prescott, who does the 'Wifesaver' series, tops the proposed program. An audience was invited to the studios for the tryout.

## 1,400 ATTEND PREVIEW OF EAST & DUMKE SHOW

East and Dumke's new audience participation program will 'break in an audience' Friday night (29) at Columbia Playhouse No. 1 in Manhattan. Some 1,400 persons will be invited to attend the preview of ' eet the Champ,' which has been privately auditioned couple of times, but now gets a test under broadcast conditions.

Young & Rubicam has a non-negotiable option on the show, and will decided Friday. CBS otherwise will give the idea a sustaining whirl.

## SEATTLE SPOOF SESSION

**'Transipeep' Invented by Dr. Quilliam of KIRO But It Breaks Down**

Seattle, April 26.

Oft-stated declaration that radio broadcasting is too new a biz to laugh at itself took a little rebuttal here when Tubby Quilliam, of KIRO, staged a stunt 'Translpeep' burlesque on radio, television facsimile.

Recording made in advance was piped into the party for Louis K. Lear, KIRO prez, and gave many of those present a ribbing dust-off.

Show ended with a big crash and the announcement that 'further experiment will be necessary.'

## WRNL's College Lines

Richmond, Va., April 26.

WRNL, News Leader station, running direct wire into William and Mary College at illiamsburg. Marks third educational line, since it already has connections into University of Virginia and University of Richmond.

John Stewart Bryan, owner of WRNL, is president of William and Mary.

**Downey Guest Dates**

Morton Downey does a guest stint on the Schaefer Beer program on NBC tomorrow night (Thurs.).

Another on the Al Pearce Ford show May 10.

# New York Station Men Expect Baseball Rights in National League Next Year

New York broadcasters close to the local sports situation are confident that the games of the N. Y. Giants and the Brooklyn Dodgers will become available for commercial sponsorship next season. Agreement which binds these two teams to non-broadcasting policy expires at the end of the current playing season and there are strong indications, say these broadcasters, that the Giants and the Dodgers managements will not renew. They do not expect the N. Y. Yankees to let down the bars.

The $1,400 per game offered by General Mills and Kellogg, it is figured, will cover the daily salaries of either team. Dodgers last week made their opening game available with the understanding that the three exhibition games it had scheduled got a sponsor for a lump sum of $2,500.

## WXYZ's Added Offices

Detroit, April 26.

King-Trendle radio and theatre offices, now located in the old Madison theatre building on Grand Circus Park here, will move into spiffy new layouts in the Stroh building, across the park, around the middle of next month.

WXYZ and Michigan network offices will occupy entire floor, while United Detroit theatre staff will take over the floor below.

WXYZ's studios, however, will remain atop the Macabees building on the near north side of town. Station recently completed a big vertical antenna on top of the Macabees building and switch in offices is being effected to provide more suitable and nicer space for buying staff.

## UNLICENSED STATION DRAWS FINES FOR 2

Charlotte, N. C., April 26.

W. H. Nichols and C. L. Weatherbee were each fined $50 in federal court at Salisbury last week for operation of an unlicensed radio station at Norwood. Case, which was one of a new type in this state, arose under the federal communications act of 1934.

Two men entered a plea of guilty, it being stated that they did not know they were violating the law by operating a radio station. Station, it was said, was for the amusement of the community and themselves and they did not offer any commercial advertising.

Station was raided on last Feb. 10. No criminal intent was attached to the two men, it was stated by Ralph L. Walker, attorney at Washington, D. C., who appeared in the case with the district attorney, but the commission is anxious to stop any mushroom growth of such stations.

In Texas alone, the commission's attorney told the court, as many as 200 stations began operation without license and some of them had gone so far as to sell advertising.

## Mrs. Melrose Joins WJEJ

Hagerstown, Md., April 25.

Edythe Fern clrose has joined WJEJ, Hagerstown, as sales manager.

Station received an increase power last week.

**Johnny Conrad**, former p.a. KWK, St. Louis, now announci KFOR, Lincoln, Neb.

# Follow-Up Comment

**'March of Time,'** now sponsored by Servel Electrolux on Thursdays (NBC-blue, 8-8.30), continues charting its course up the same channels, and that's peak in news dramatization methods on the ozone. 'Time' has always displayed its ego and assertiveness in shaping up the shows, and to some small slice of audience there has been annoyance at ediors constantly referring to themselves as 'the ablest historians of our day.'

Super-par program last Thursday (21). Production was slick throughout. Subject matter was knitted tightly and for variety's sake well chosen. Acting had authority, assurance and the impersonations of public figures were generally good.

Best bit was the opener, reenactment of the Pope elevating to sainthood a trio during Easter celebration in Rome. Nicely caught with an authentic touch the Plain Chant and the pronouncements in Latin. One of the newly named saints came from Catalonia, Spain, which was perfectly placed to dovetail into war on the Iberian Peninsula. Jumped then across the globe (and with the ironic wet smack) to dramatize the 10,000 beleaguered Japanese troops, surrounded and starving deep in the Shantung province; that in turn brought out the pessimism at home among the Japs.

For novelty, there was the WPA unit blasting earth in Washington state and destroying turkey eggs, with a farmer suing the government for his loss; also Mrs. F. D. R. at the egg-rolling on White House lawn, when she shielded herself posing for photogs because didn't want newspapers to have a cut of her wearing slacks. Actress who did the President'a wife was swell.

Reaction to President's fireside chat of week before was o.k., if a lift out of current Life mag. The ruckus at Flint, ichigan, between unionized workers and General Motora was too long and flabby for what it offered in timely news.

Pluga for Servel certainly aren't short, inserted as they are at start and stop on show. There was a shade of repetition, too. One in the middle and less in the aggregate might help.

**Radio division** of the Federal theatre is doing a skilled job of adapting Jules Verne's 'From the Earth to the Moon' over the air via WHN, N. Y. They are half-hour installments spotted opposite the first half of the Rudy Vallee-Royal Gelatin show (8.30 to 9 p.m. EDST), with W. M. Sutton credited as adaptor and George Reynolds, producer. Last Thursday's (21) was the third installment and conveyed with the right touches of plot buildup and excitement the doing of the occupants of the rocket-train, 'The Columbian,' as it approached the moon.

**Critics Circle Award** Ceremonies, with George Jean Nathan, John Mason Brown, John Anderson, Paul Vincent Carroll, George S. Kaufman, Wallace Ford, Broderick Crawford and John F. Hamilton, was, as radio entertainment, anything but impressive. Even to legit fans it was hardly engrossing. Speeches were over long and the excerpt from the prize-winner, 'Of ice and Men,' was inconclusive and somewhat mystifying. However, that portion of the session was the only part convincingly put over.

John Mason Brown, of the N. Y. Post, opened the stanza with a too-lengthy spiel and explanation of the awards. Also spoke his piece as a dissenter in favor of the runner-up choice, 'Our Town.'

George Jean Nathan, as president of the Circle, made the principal award to John Steinbeck for 'Of Mice and Men.' He appeared not at his best, speaking as if he had a mouthful of ticket stubs. Was reasonably terse. George S. Kaufman, who staged 'Mice,' accepted the award for Steinbeck, who remained in California and, it is reported, declined to make the trip to San Francisco to broadcast his acceptance from there. As a wit, Kaufman was a washout, since he didn't even attempt any humor and seemed distinctly ill at ease.

Wallace Ford, Broderick Crawford and John F. Hamilton followed in a short scene from 'Mice,' in which they are appearing at the Music Box, N. Y. It was persuasively played, but must have seemed puzzling to listeners not familiar with the play. And it certainly gave little idea of the drama's character and wallop. Nathan wound up the session with an expression of thanks to NBC for its patience in handling such 'amateurs' and skill with the rofessionals.' That was pertinent.

**Phil Spitalny's** all-girl orchestra has switched its period on NBC-Red for General Electric from Monday to Sunday night, edging into the 10-10:30 p.m. niche from which Sealtest withdrew recently.

Formula, which has consistently been successful, remains unaltered. Studied arrangements and the versatility of the girls keep the program perky. Spitalny repeats arrangements of his best routines intermittently. Warranted by the lustre of them generally.

When caught (24) there waa 'Summertime,' 'Indian Love Call,' 'Ti-Pi Tin,' 'Tea for Two.' Throaty voiced Maxine, and Evelyn on her fiddle have their usual aolo licks. Trio didn't have much to do this time. Standout was turned on by Marian Williams, going through some measures on a sax and clarinet. Choral effect at finale was swell.

G. E. plugs were reasonable and couched in nice copy. Blurb was also slipped in for the coming New York Fair. Sponsor is interested in the expo.

## No Understudies

Eddie Cantor's sickness Monday ight demonstrated radio's helplessness in substituting a comedy program at the last moment. Answer in this case was there wasn't any comedy. Instead, Rudy Vallee stepped in with a straight, dignified m.c. and solo song routine. It was a straight musical revue. There wasn't a laugh in the half-hour from tune-in to tune-out.

Radio's philosophy of name-for-name omits entirely the question of giving the public something similar to what they expected. That's what happena when a legit star is under the weather. Understudy steps in, show goes on. Maybe not quite as good but at least following the same pattern.

**Don Ameche,** who is versatile enough in average to be over-tasked in specific cases, was the Earl of Bothwell Sunday to Judith Anderson's Queen Mary of Scotland. Under indulgent winter rules, which would overlook some of the swings, he might be said to have gotten the script into the cup without too many dramatic divots. But the excerpt was primarily an opportunity for Bergen addicts, palpitating with pleasure and gratitude, to leave the room to brew a jug of Chase & Sanborn. It was intermission on radio's top-ranking hour.

Bergen paced his flippant rummy for one-two-three laughs. Only the count was up around 48-49-50. It still isn't trite to reiterate that radio took a remarkably long time to discover a guy that had been clipping audiences behind footlights for years. Bergen's present capers must give showfolks a professional kick that laymen don't get. For if a long over-due success ever came up like a fountain on a holiday, it's this voice-thrower.

Showfolks, too, like to gab about the Stroud boys. Wordy and pithy.

**Joe Penner's** brand of radio lunacy was in scoring position Sunday night. It was the usual Penner hodge-podge of foolish ideas and foolish deportment. Knitted together by the droll personality and vocal tricks of the top comic.

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**'THE GREEN HORNET'**
**Dramatic Serial**
**30 Mins.**
**Sustaining**
**Thurs., 8:30 p.m.**
**WOR-Mutual, N. Y.**

WXYZ, Detroit, has a choice piece of property in this one. It was brought east, via Mutual wires, for the first time last week (14) and even though it runs parallel to the second half of the Rudy Vallee-Royal Gelatin stanza, 'The Green Hornet' should accumulate enough of a following to make it a sound commercial candidate.

Coming out of the same studios which created 'The Lone Ranger,' it blends exciting plot with skillful production, deft writing and good all-around acting. It has sustained pace and ample imagination and about the only place that it can better itself is in the sketching of the central character; one deriving from the vigilante school of radio drama, a la 'The Shadow.'

In this case the vigilante, or the frustrator of skullduggery, is a newspaper editor. As the writer has him now molded, this Sir Galahad is a little too vague as to characterization or personality. He needs more behavioristic buildup and a quality or mannerism of voice that will cause the listener to associate him quickly with the role.

Thriller caught Thursday concerned a menace who made a business of killing off for their insurance money groups of men that he had just hired to work for him in South and Central America. Everything in the way of plot development, dramatic punch and character relationship was kept well within bounds.

Rimsky-Korsakoff's 'The Flight of the Bumble Bee' serves as the musical theme in leading on and taking off the narrative. Each program represents a completed story.

*Odec.*

**PAUL DOUGLAS**
**Sports Talk**
**15 Mins.**
**CHESTERFIELD**
**Mon.-Sat., 6:30 p.m.**
**WEAF-NBC, New York**
*(Newell-Emmett)*

This stanza, getting off for its second season for the same sponsor, is one of the best of its kind. Paul Douglas has a free-'n-easy manner of delivery well suited to dishing up the sports results at the end of the day. Timed to unravel about the dinner hour, the program's chief obstacle seems likely to be Boake Carter, who fires off his general news commenting concurrently over WABC. That's tough opposition, but Douglas should be able to snare the sports following.

Douglas, who comes to the assignment via announcing and from the legit stage, is no sports expert, but he has a likable mike personality. That and the fact that his present duties don't call for any great inside-stuff knowledge give him a distinct edge over the know-all-the-sports-answers boys.

On session caught (21) he tossed off a nice bit of spieling, a yarn about a Greenwich Village lad, Norman Brinkerhoff, who's getting a major league pitching tryout. Also got in a plug for his Chesterfield confrere, Andre Kostalanetz, as a baseball fan. That's the colorful sort of personality stuff a sports commentator should deliver.

Douglas handles his own commercials. Most of them are short, but the finale is fairly lengthy. Usually along that old 'They Satisfy' trail, but unreeled innocuously enough. All in all, it's a sock session for its kind and well designed to put over the product.

*Hobe.*

**BOB HOWARD**
**Musical**
**15 Mins.—Local**
**J. B. WILLIAMS CO.**
**Thursday, 11 p.m.**
**WEAF, New York**

There have been various tags attached to different swing styles but the one applied to Howard's song and pianology is the topper. But it ties in with the shave cream he's advertising which makes it okay. Calls it 'gliding swing' and the whisker stiffener is labeled Glider Cream.

It's the first commercial for Howard although he is not new to the air waves, having been on as a sustainer from WINS, and WHN, N. Y. Built up quite a following with several periodic stints on the latter station. Piano tickler got his start at Tillie's in Harlem, N. Y., and later made recordings for Decca. He's currently on the bill at Mammy's Chicken Farm on 52d St. He did a guest stint on the Rudy Vallee program Thursday night, a few hours before debuting his own time, with an imitation of a player piano that left no doubt of his keyboard ability.

On his own, following Bing Crosby, a fact that he mentioned, telling listeners there's no need to shift to another groove for entertainment, and that he'd be there each week, he really went to town with a varied selection of tunes. Vocalizing comes close to being on a par with his keywork.

Drawback is his patter. It's almost annoying at times. Should cut down on it as well as his laugh. It might be natural effervescence but the giggle sounded forced and phony, although opening night nervousness might be blamed. It's rather late for a commercial but it's in an ideal spot and rates are lower.

**'TALK OF THE TOWN'**
**With Ray Shannon, Janette, Hugh Cross and His Radio Pals, Five Aces**
**Variety**
**30 Mins.—Local**
**IDEAL HAMS**
**Saturdays, 7:30 p. m.**
**WSAI, Cincinnati**
*(William H. Holland)*

Several smart ideas. Stanza is tied up with different fraternal lodges, in whose neighborhood auditoriums the broadcasts originate, with frequent changes of locale. Free admission tickets are passed out by the bankroller's dealers, permitting attendance by customers, as well as by lodge members and their families.

On each shot an officer of the guest lodge is interviewed about his order's ideals, aims and activities. Several persons from the audience are selected for participation in a quiz session. Too, a lodge member or child of a member gets into the routine for soloing of a pop number.

These angles give a pleasing community atmosphere. They are entwined with talent from the Crosley staff, thus cutting down the amateur tinge.

Ray Shannon turns in a breezy job as master of ceremonies. Janette warbles hit tunc in torchy style and the Five Aces, mixed pipesters, swing with heavier numbers. A neat package of hillbilly music and singing is delivered by Hugh Cross and his five co-workers.

Gordon Shaw, announcer, effectively unfolds the commercial chatter. Blurbs are few and to the point.

*Koll.*

**Lee Neal** and Bob Kliment new mikemen at WSAZ, Huntington, W. Va. Nelson King has resi ned as station's musical director.

**POLLY SHEDLOVE**
**With Charles McCarthy**
**30 Mins.—Local**
**Sustaining**
**WHN, New York**

Good program. iss Shedlove dished out a similar sort of program for six years on KSTP, St. Paul. Has amiable voice and a nice manner of presentation. Appeal is to women listeners who want tips on fashions and enjoy general chatter that scopes a wide field. iss Shedlove has a smart angle in not criticizing things, but merely describing her personal reactions to them. That gives an intime touch that abets the program happily.

Station announcer Charles McCarthy several times during the program chirps up with a leading suggestion, upon which Miss Shedlove comments. McCarthy's presence removes the monotony which would probably crop up were he absent.

*Bert.*

**'INSIDE THE NIGHT CLUBS'**
**With Allen Courtney**
**Interviews**
**15 Mins.—Local**
**MADISON LOAN**
**WMCA, New York**

Madison Auto Loan which is a prolific user of WMCA time underwrites Allen Courtney's excursions in the restaurants and lesser niteries. Principally, they're restaurants with a cabaret flavor, such as when Mae West was cuffoed into a spiel when she dined at Braddock's new eatery. On this session the Hickory House was the scene for Courtney's peripatetic mike, as he interviewed diners at the tables. The incidental plugs for the Hickory's chops and steaks sounds like a dual commercial hookup, but actually is just the payoff to the establishment for permitting pickup.

Courtney of course must be the whole show and he deports himself skillfully. He's glib, smooth and suave, with a watchful eye and ear to any emergency. In the hotcha spot it be even more of a travail although even here when he encountered a Miss Gladys Fay who called herself 'just a lousy sin ' it called for some tact.

Headwaiter Eddie of the Hickory House proved a sample of what Courtney might warn his other maitres not to be. Forget the too obvious plugs for the steaks and the boss, and trick it up with a little rehearsal. At least it can be done with the permanent attaches, if not with the casual customers. Eddie stuttered a bit and overdid the free ads for the payoffs.

Other customers were much better save for a nervous quintet of giggling femmes from Boston, holidaying in New York over Easter. That's the unknown quantity in comedy relief which could be interpreted as an asset, and the convincer that it's unstaged. Courtney's judgment in when to ease away and spare mutual embarrassment was vindicated when caught.

*Abel.*

**HARRY WISMER**
**Sports**
**15 Mins., Local**
**HAVANA RIBBON CIGARS**
**T.-T.-Sat.; 6:15 p.m.**
**WJR, Detroit**

Told by sponsor to pull no punches and spare no expense, Harry Wismer dishes out raft of inside sports dope on this new thrice weekly program. And gives it a different twist.

Initial shot derided bally on ike Jacobs' supposed efforts to hold coming Louis-Schmeling fistic bout in Detroit, and cited fact deal's already been closed for Yankee Stadium, N. Y. Week later an INS sports-writer from N. Y. penned the same stuff.

Not all of program is spent on inside dope, however. Wismer having divided his stint into eight 'columns' of a newspaper, with predictions, scores, history, 'scoops,' and late flashes.

Handles own commercials which are constrained and smooth.

*Pete.*

**JIMMY KEMPER**
**With the Norsemen Quar**
**15 Mins.**
**Sustaining**
**Thursday, 8:30 p.m.**
**WJZ, New York**

Jimmy Kemper's song cycles are not new. Rather than an ordinary succession of tunes his selections are motivated by an underlying theme. Last week's program was laid along 'alone in the big town' lines and included a medley of old timers, the rearranged 'Hometown,' current, 'An Old Straw Hat,' and 'Heigh-Ho,' for a pepper-upper.

Norsemen Quartet accompanies Kemper and also handles a couple on its own. Quartet has a nice style. Program is in a tough spot, bucking Rudy Vallee and Kate Smith. Kemper remains a good trouper with a sense of musical showmanship.

**'HOW SMART ARE YOU'**
**With Dick Diespecker**
**30 Mins.—Local**
**Friday, 7 p.m.**
**CJOR, Vancouver**

New angle on quiz idea based on assumption that school kids have more general knowledge than their grown-ups. On opener five boys competed against their fathers with youngsters coming out on top 63 to 61.

Diespecker does a good job keeping kids chattering clearly. Pace is good considering obvious embarrassment of fathers.

**BLUE BARRON ORCHESTRA**
**15 Mins.**
**Sustaining**
**Thursday, 6.45 p.m.**
**WEAF-NBC, New York**

Once-weekly plug for the 6.45 p.m. vacancy in the NBC red schedule should be helped somewhat by following Paul Douglas' sports chat and by the fact that it precedes Amos 'n' Andy. But Lowell Thomas on the blue network at the same time is a hefty rival. However, Blue Barron's music, pumped from the Green room of the Hotel Edison, N.Y., is one of the better samples of dancery over the kilocycles during the early eve hours. Considering everything, it seems likely to garner a fair following.

Band gets off after an intro by announcer Gene Hamilton and a mike bow by Barron, using the 'may-we-please you' spiel familiarized some yeara ago by Vincent Lopez. Outfit sounds of medium size, favoring the woodwinds and muted brasses, with an electric guitar as frequent coloring. Titles are announced part way through the numbers and nearly every tune has an intro of an old pop. That beara out the 'Music of Yesterday and Today' label of the program.

Plenty of vocalizing on the stanza, mostly by Russ Carlisle and Charlie Fisher. Former is as sobby a crooner as ever pulled the pathos stops. On show caught (21) he practically inundated the airwaves with tears in singing 'My First Affair' and 'Moon of Manakoora.' Fisher has a semi-recitative style, with a slightly nasal voice. Uses a mildly peppy delivery. Did 'You Went to My Head' when caught.

Band uses distinctive arrangements. Tone is soft and comparatively sweet. Effective rhythms and capable instrumentation. Group vocals are by the Ambassadors of Harmony, apparently several boys from the band.

*Hobe.*

**'THE CONSUMER RIGHT TO KNOW'**
**With Eleanor Chatham**
**15 Mins.—Local**
**JOHN G. MYERS CO.**
**Daily, 2:15 P.M.**
**WOKO, Albany**

Program is hailed as a new and progressive step in local daytime commercial radio. Beneath the wrapping of its slick selling title, however, is a pattern old on home broadcasts: direct, even insistent, advertising. Dialers who expect restraint will be disappointed. Industry, product and sponsor plu ing on some of these broadcasts is even heavier than usual on salvos, for housewives. Broadcast on electric refrigerators and GE models was an example of overcharging the advertising chamber. That on foundation garments—old fashioned word 'corsets' used only once—was better. Consumer information angle may, of course, make the quarter hours welcome to femme listeners, supposed to have Job-like patience in the face of steady spieling.

Normally, a consumer commercial would seem to presuppose the presence, on some occasions at least, of unbiased women to ask pertinent and searching questions.

Such was not the case when heard the opening week. Representatives of various women's organizations did extend the usual expressions of interest, and appreciation, on initial ride. Announced that sponsor glad to receive questions.

When caught, Eleanor Chatham (Mrs. Floyd Walter), of WOKO staff, queried department heads. Emphasis was laid on standard products, manufactured under proper labor, etc., conditions. This makes a smart sales talk, but not when dragged out 15 minutes. Miss Chatham's voice and delivery have improved since she started to air, on another block, for Myers. However, she still shows a tendency to pitch the tone too high and to make the sound too hard. Has a friendly personality.

Only entertainment is an occasional transcription. Like other consumer broadcasts, this one is better in title and conception than in execution. It can and perhaps will be improved.

*Jaco.*

**LOUIS LaHAYE**
**Baseball Comment**
**15 Mins., Local**
**ISENBERG BROS.**
**Friday, 5:45 p.m.**
**WICC, Bridgeport**

Isenberg Bros., New Haven men's clothes house, buys a weekly script prepared out of town and read by WICC announcer indentified as 'The Old Coach.' Why spieler, Louis LaHaye, one of the station's veterans and an acknowledged local authority on baseball, isn't personally billed is a sensible question; LaHaye does an effective job on an over-abundance of copy and would probably mean a lot more under his own tag than as the 'Old Coach' character.

At this early stage of the ball season it isn't hard to anticipate the development of a need for localizing the chatter wherever possible. The national situation is pretty well comprehended by the major nets, and an independent program invites individual treatment.

Except for over-writing, first script was interesting, covering big circuit personnel and forecasting league standings at end of season. Commercials were way too long.

*Elem.*

**F. D. ROOSEVELT, Jr.**
**Plus Gertrude Lawrence, ajor Tex O'Reilly, Judge Leo Mintzer, Peter Van Steeden, Peg LaCentra, Fred Uteil**
**Variety Guesters**
**30 Mins.**
**VITALIS**
**Mondays, 10:30 p.m.**
**WEAF-NBC, New York**
*(Pedlar & Ryan)*

This variety show has been steadily improving. It's captioned 'For Men Only' which has a somewhat stag implication, and arrestingly warns the femmes to tune-out, being purportedly a 100%-for men show. However, Peg LaCentra is a weekly staple and at least one femme is a guester every week. On this session, Gertrude Lawrence split the ethereal marquee billing with Franklin D. Roosevelt, Jr., whose discourse was innocuous enough in reply to announcer Fred Utell's query, 'How does it feel to be the aon of the President of the United States.'

Show is nicely geared and paced for a diversity of interests. There's a fixed sports spiel; plus Peter Van Steeden's and Peg LaCentra's permanency for the band and vocal accomps.

One of the guesters is also the cue-in for the commercial plug, which is all right, but much of that favorable impression is later militated against by a longwinded spiel just before the next-to-closing guester. It's as if the sponsor figured that he's been suave enough—now let's really boff 'em ith a commercial spiel. It well night inspires the tune-out, and is only countenanced by the fact that there's something worthy in the offing. In this instance it was Gertrude Lawrence who was segued into her spot by young oosevelt.

ajor Tex O'Reilly, soldier of fortune, was the tee-off, using a dramatized episode to introduce himself, he putting the topper on that Foreign Legion dramalet. Then Judge Leo Mintzer, of Harrison, N. Y., a marrying judge, who dwelt on some of the notables he spliced, and who was the means for working in the plug, stating that his observation has been that the boys with the well-groomed appearance — notably the hair (Vitalis is the sponsor, get it?)—are the ones who waltz the beauts to his judicial chapel for the I-do routine.

F. D. R., Jr. dwelt more on his Harvard crew experience, and spoke about the past and forthcoming varity races. Then that longwinded '60 second workout with Vitalis' commercial, and finally Miss Lawrence.

Latter has been guesting around the kilocycles quite a bit of late, and to effect. Her 'Carrie' song by Noel Coward, out of a 'Charlot's Revue' wasn't the happiest vocal selection, sustained only by the comedienne's personal charm in delivery. She was more clicko in discoursing on why and how she came to speak from the Rev. Christian Reisner's pulpit in the Broadway Tabernacle, in connection with her current starring play, 'Susan and God,' stating that the recent cycle of religious plays evidence a civilized American manifestation for appreciation of the brotherhood of man, in contrast to what's happening to the turbulent old world today.

In toto, a brisk half hour. *Abel.*

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**QUIZZER ON STILTS**
**Bert Madden**
**15 Mins.; Local**
**NU-ENAMEL**
**Daily, 4 p. m.**
**WABY, Albany**

Stilt quizzing is a new variation of the familiar man in the street interrogations. Madden, who once saxophoned in Sousa's Band and who took to high stick hiking during the depression, started stunt over WABY last fall. Present series brings appearances in both Troy and Albany. Sponsor has one outlet in the former and two in the latter.

Although the querying from a lofty positions means more visually than aurally, the references to 'your 12-foot man in the street' may imbue many listeners with curiosity to see Madden work. is Albany spot is at Warner Bros.' itz; Troy, at the circuit's Troy theatre.

Madden acquits himself creditably. Gives interviewees leeway to talk about their city, jobs, business, views on current questions. This not only plays on their vanity, but also insures a measure of responsiveness, regardless of individual's I. Q. Some questions and tongue twisters are mixed in.

Madden's voice is naturally a shade pipey. Personality is friendly. Vocabulary might be wider. 'Tell us about it, please,' is a sentence Madden overworks. *Jaco.*

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**MARLOWE and LYON**
**Piano Duo**
**15 Mins.**
**Sunday, 11 p.m.**
**WEAF-NBC, New York**

Late Sunday evening filler pumped from NBC's Chicago studio. Pair unravel what's generally described as 'classical jazz'—pop tunes salted with syncopation. Generally do okay, maintaining enough of the melody, but injecting sufficient bright coloring.

On show caught (17) Jerry arlowe offered one vocal with solo piano accompaniment. Piano is better alone. Partner is named June Lyon. Bill the stanza as 'keyboard contrasts.' *Hobe.*

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**WPA RADIO PLAYERS**
**'An Accident'**
**30 Mins.**
**Sustaining**
**Sunday, 5:30 p.m.**
**WOR, New York**

Radio Division of the WPA Federal Theatre Project has been occupying the 5:30-6 p.m. groove Sundays ever since Orson Welles and 'The Shadow' went off the commercial booking in that spot. WPAers have been doing radio dramatizations of pieces from current periodicals, notably from Esquire, as with this, a dramalet by Manuel Komroff titled 'An Accident.'

Oddest thing about the presentation is its straightforward attack of the script, sans any introductory whatever. Company goes right into the acting, with the dialog gripping the interest. Credits are heralded at the tag.

Scripting of this as with the two or three previous presentations is pithy and clear, requiring little interruption to establish the sundry moods and settings. In toto it's a good radio drama scripting job, and as expertly handled by the WPA thespians. *Abel.*

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**BILL ANSON**
**'Nonsense at Noon,' Janet Logan, Brett Morrison**
**Comedy, Music, Records**
**60 Mins.; Local**
**PETER FOX BREWING CO.**
**Sundays, 12-1 p. m., CST**
**WBBM, Chicago**
*(Schwimmer & Scott)*

While the public will take little notice of the cost, this show, consisting of comedy m.c., femme foil, an announcer, and records, makes considerable out of little.

Anson is a standard radio and vaude performer, and comes through here in excellent fashion, doing dozens of tricks throughout the running of the show. Gets his best results with his impersonations of radio names, and the script helps him greatly by working these impersonations into comedy situations rather than forcing him merely to run off his impressions without any connecting links.

Name impersonations are woven into comedy situations and blackouts, many of which have fun in 'em. Scrivened by Cecil Widdifield, who has worked out a couple of neat laugh situations, all on the semi-satire vein. Has situations built on burlesque history, on the present Spelling Bee fad, the De Luxe Radio Theatre, on the questions-and-answers type of programs. And also spread through the program are pop recordings.

Morrison and Miss Logan work well with Anson in getting most out of the material, and altogether furnish a 60-minute session of listenable light stuff.

Commercials for the Fox beer are snapped into place throughout the show, with a keen eye towards tying them in with the comedy tone of the program. All in all, a neat local program. *Gold.*

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**ELIAS BREESKIN ORCHESTRA**
**With Frank Hubbel choir, June Knight**
**Songs, Orchestra**
**30 Mins.**
**Sustaining**
**Thursday, 10 p.m.**
**WOR-Mut l, New York**

Ninth in series, coming from KHJ, Los Angeles, Elias Breeskin's string combo is favorably reminiscent of the large string group Coca-Cola had on air a number of years ago. Program has wads of tough competish with Bing Crosby-Bob Burns Music Hall on at same time. But possesses pace and skilled arranging.

Breeskin's orchestral group of 75 pieces and Frank Hubbell's voluminous chorus batted over novel arrangements and smooth rhythm. But the guesting of June Knight was disappointing. Choice of 'Night and Day' for her one solo was a mistake. More pop tune would have gone more effectively. This error was followed by pitching her voice too high. Miss Knight slipped down to proper register only once for the recant of verse.

Albert Glaser's arrangement of a salute to Vincent Youman started show off at a brisk canter. Comprised a medley of such tunes as 'Tea for Two,' 'Flying Down to Rio,' 'Without a Song' and 'Carioca,' etc. *epr.*

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**ADRIAN ROLLINI TRIO**
**Swing**
**15 Mins.**
**Sustaining**
**Sunday, 5:30 p.m.**
**WJZ, New York**

Adrian Rollini on the vibraharp. Harry Clark and Frank Victor are his aides in the Rollini Trio's ultra brand of swingology. Long exponents of jam, on the air and wax, via sundry other combos, this quarter hour Sunday late afternoon interlude falls nicely on the ear. It comes well in the day's radio running time, amidst the other more conservative pot nourri.

Rollinis wisely restrict their jam to melodic, smooth numbers so it doesn't sound like a clambake, so much an error via the mike, into home reception. They can send it any way they want in a nitery or for dansapation purposes, but it's something else again when received cold into the home. *Abel.*

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**'GANG BUSTERS'**
**With Norman Sehwar**
**Drama**
**30 Mins.**
**COLGATE-PALMOLIVE-PEET**
**Ved., 10 p.m.**
**WABC, New York**
*(Benton & Bowles)*

Crime program has been aired unbrokenly for over a year but for the past few months has had Col. Norman Schwartzkopf of the New Jersey State Police as commentator in place of Phillips Lord. Broadcast, which exploits activities of police in solving outstanding crimes in the annals of various law enforcement systems, has plenty to attract amateur sleuth and other listeners usually magnetized by criminal events, but still is open to improvement.

Selections for airing are all on the cops' side of the fence, as they have been since the program debuted. They're okay, but instead of confining itself to explaining steps taken by police to apprehend culprits, it might occasionally be a good idea to shorten this or lengthen time to include reasons why criminals involved got that way.

In itself the program was a nice job of radio writing, every step taken in case aired being clearly outlined. It was open to criticism on one or two technicalities but they were minor. Story opened with two young men facing each other in a baseball game, one pitching and the other winning the tight game for his side with a homer—and winds up under the same circumstances—with the batter, as a cop, being responsible for the erstwhile pitcher's arrest for murder. It was taken from the records of the Cleveland Police with Chief Madowitz of that force aidi in the retelling.

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**'THE SINGER AND HIS SONG'**
**15 Mins.—Local**
**Sustaining**
**Daily, 10:15 a.m.**
**WHAS, Louisville**

Combo of baritone soloist and organ accompaniment, spotted in the middle of the morning when listeners are predominantly of the femme persuasion, brings a religious suggestion which should fall on willing ears in this s tor.

Vocalist remains anonymous. Announcer introes the hymns, and takes a cue from marginal notations made in a little black book. Singer has rich baritone pipes, and sings with feeling. Nice subdued accompaniment furnished by Herbie Koch, staff organist, program stacks up as a well-rounded, intelligent effort of its kind. *Hold.*

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**'MYSTERIOUS DR. MIKALIN'**
**With Howard Hoffman, Marjorie Hannan, Cornelius Peoples Historical Episodes**
**15 Mins.**
**Transcriptions**
**NATIONAL POSTER STAMP SOCIETY**
**Thursday; 5:45 p. m.**
**WMAQ, Chicago**
*(James R. Lunke)*

Once-a-week dramatic disc to plug postage stamps to kids from 7 to 14 years old. Basis of program is educational; to get away somewhat from the straight blood-and-thunder mellers which have been making up the bulk of kid radio fodder.

While this show may satisfy the parents and the teachers and the various uplift radio groups, it's questionable whether the kids will prefer it to the regular battle-on-the-precipice shows.

This Dr. ikaline has time and space eradicator which can televise scenes of the past, scenes which are pictured on various poster stamps. In this way the kids are supposed to get some dabs of history along with their entertainment. Okay on paper, but not likely to grab the kids' ears.

First episode conjured up that of the battle of New Orleans in 1815 and was just fair in its short short story of Gen. Andrew Jackson and pirate Jean Lafitte.

Show is under bad handicaps also as a once-a-week 15-minute platter, with considerable difficulty likely in holding kids from one week to the other. *Gold.*

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**TRUE DETECTIVE MYSTERIES**
**Drama**
**15 Mins.**
**LISTERINE SHAVING CREAM**
**Tuesday, 10 p.m.**
**WOR-MBS, Newark.**
*(Lambert-Feasley)*

Listerine currently has this series on a Mutual hookup which extends from WOR to WLW, Cincinnati, and WGN, Chicago. Felix J. Jager, a lawyer, does the adapting from pages of the magazine's current issue, with the script treatment, production and acting sticking closely to conventional and hackneyed rotes. Dramatization ('Moonlight Murder Mystery') caught (19) lacked suspense, mounting excitement or any of the other ingredients that come with good whodunit entertainment.

Better phrased and effective was the plug. It deftly linked the product's three main sales points, namely, the inclusion of glyceri , the pleasurable lathering and antiseptic qualities and the large tube to he had at 35c. *Odec.*

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**Newscaster Richard Pattison** back at WSPA, Spartanburg, S. C., folwing operation at Indianapolis.

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# Palmolive Has Costly Flesh Lineup For Australian Radio, but Is Over-Soaped

Sydney, April 2.

*('Vanity Fair' with Dud Cantrell Orchestra, Palmolive Playboys Newton Goodson, Thelma Graeme, Albert Torzillo, 45 mins. 2UW, Sydney.)*

Headed by terrific advance exploitation this live talent show hit the air under sponsorship of Australian Palmolive. Show is broadcast over nine stations in all.

Proved disappointing. uch too much commercial chatter and too many old numbers by a so-so jazz band. Highlights were the singing of Thelma Graeme and the harp playing by Albert Torzillo. Newton Goodson, male warbler, has a nice voice.

Vernon Lyle acts as master of ceremonies and does his stuff along the usual routine lines. Middle of presentation introduces a femme chatterer who gives a commercial plug for product, and additional plugs by the m.c. follow after nearly every musical number. Show needs plenty of comedy, plus snappy rhythm numbers to hold air audience over such a long span. Whole thing will need rebuilding to give desired speed which at present is slowed badly by over-much commercial.

It's a costly show for Australi but could be made to mean something by an expert radio producer.

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**BRITISH STAR-GAZING (No. 8.)**
**With Anna Neagle, Anton Walbrook, Herbert Wilcox, Stuart Robertson and recordings of Sir Cedric Hardwicke, Jack Buchanan, Arthur Tracy, Tullio Car inati and Hugh Miller.**
**60 Mins.**
**B.B.C., London.**

High spot of this radio biography of one of Britain's topflight film stars was an advance sequence from Herb Wilcox's picture sequel to 'Victoria the Great,' due for release April 13. New picture, starring Neagle and Anton Walbrook, is titled 'Sixty Years a Queen.' Sequence was put over as if being rehearsed on the sound stage, and dialog indicated treatment likely to be identical with that of 'Victori ,' comparison being heightened by playing over of sound tracks from the former picture.

Tracing career of Anna Neagle from childhood till now, broadcast lacked sparkle, due mainly to dull material. Star's history follows a stereotyped trail from chorus to big lights, but contains few dramatic moments or hard luck stories. Producers Leslie Baily and Charles Brewer nevertheless made something of the available material, drawing in reminiscences of schooldays, recalling snatches of musical shows which Neagle assisted from the chorus, dramatizing her first meeting with Herbert Wilcox (which sounded like the phonus-bolonus), and recounting the full tale of her picture successes, from her first appearance as an unknown in 'Good Night Vienna' until the picture she is just starting.

Because of the Baily-Brewer combination, program was built on lines similar to the 'Scrap Book' series, with narrative, lashing of melody, pieces spoken by personalities involved, anecdotes and a diversity of other material worked into the pattern. Thus Herb Wilcox, Kay Stammers (tennis act and school friend of the star), Stuart Robertson (B.B.C. vocalist and brother of the star), and Mimi Ruby (who taught her trapeze tricks for 'The Three Maxims') gave the background; while sound track playover of some of her film successes recalled the performances of Sir Cedric Hardwicke, Jack Buchanan and Tullio Carminati in 'Nell Gwyn' and 'Peg of Old Drury,' 'Limelight' and 'The Three Maxims' respectively. The augmented B.B.C. variety orchestra and B.B.C. revue chorus, under Mark H. Lubbock's baton, and Reggie Foort at the organ, provided the best entertainment in the hour.

As for Miss Neagle herself, the radio mike was unkind to her singing prowess, revealing clear limitations of voice range and power, but main effect was of interest in the narrating of a story book career. Disappointing, perhaps, by contr t with previous numbers of the series, which had more romantic material and subjects, but an entertainment at the same time well up to normal B.B.C. standard.

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**TOMMY TRINDER**
**Comedian**
**Saturday Music Hall**
**BBC, London**

British Broadcasting Corp. made a definite discovery when it slipped Tommy Trinder into Saturday Music Hall bill as substitute, and this comedian scored standout hit of the program. Trinder is new to the capital but rates strong popularity in the sticks, but his first appearance at the mike proved none of the established funsters has anything on this exuberant personality.

Purely a song and patter act, his stuff boasted no novelty either in material or technique, but the comic scored heavily by a combination of impudence and gusto that even warmed up the most ancient chestnuts worked into his turn. Reminiscent in parts of Max Miller, Trinder's methods, however, do not borrow the cockneyisms of the "cheekie chappie,' relying purely on slickness and pep.

Coincidentally (or is it?), Trinder is also making his screen debut in the Associated British picture, 'Almost a Honeymoon,' due for trade preview this week. In the event of his studio work matching up to his initial mike performance, it is easy to guess this newcomer will rapidly jump into the big time. B.B.C., incidentally, also knew they were on a good thing, making a big song and dance of the fact they had secured this personality to fill their last-minute program gap.

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**TED ANDREWS**
**Sportscaster**
**GENERAL MILLS, P.&G.**
**Daily, except Sunday**
**KTOK, Oklahoma City**

Nice voice and ability to make ball game listenable. Only commercial on opener was four-time credit announcement for which fans thanked the station.

Last year locals got one every time a ballplayer stopped to catch his breath.

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**MIND YOUR P'S AND Q'S**
**With Sam L. Levitan**
**30 Mins.—Local**
**Sustaining**
**Monday, 7:30 p.m.**
**KDAL, Duluth-Superior**

Local quiz show. Levitan's twist on the old quiz bee idea has contestants paired off in two teams. Human interest angle is milked by having each team comprise a parent and child.

Airing caught (18) had father-and-daughter and mother-and-son duos matching wits. Contestants are quizzed individually, but scores are computed on a team basis.

Judge Sam does an oke job. Has an air of friendliness and informality that keeps contestants at ease. Plays to studio audience, and large listening audience has been tied in right from the start through procuring contestants from P-T-A groups, thus adding further competitive angle. Theatre ducats offered for best sets of q's and a's mailed i furnishing hefty mail hook. *Rush.*

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**'INVITATION TO THE WALTZ'**
**With (Miss) Willie Morris, Raoul Nadeau, and the Novelty Choir.**
**30 Mins.**
**Sustaining**
**Thursday, 11:15 p.m.**
**WOR, New York**

Press release for this program advises swing fans not to listen as it has no appeal for them; and for a good reason. As the tag implies it's made up entirely of tunes in waltz tempo. It still may be said that the youngsters have not imposed their musical will on the armies of waltz addicts.

Program is enjoyable session of semi-classical tunes delivered by Willie Morri , soprano; Raoul Nadeau, baritone, and the Novelty Choir. Late listeners can relax in the best fireside-pipe manner. Tunes used for broadcast caught were a medley of hits from 'Roberta,' 'Show Boat,' and 'The Touch of Your Hand.'

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**'MYSTERY CLUB'**
**George Edwards**
**30 Mins.**
**BALM PAINT**
**Twice Weekly**
**2 UW, Sydney**

Top Australian radio star has gathered a strong company of performers around himself to present a series of air mystery yarns. Each one is completed within the 30 minutes on twice-weekly basis. Edwards uses unpublished whodunit material. Station employing Edwards continuously.

Stuff is thrilling but not chilling. Spnosor has assurance that listeners will not likely twist knobs once tuned in. Selling chatter is properly spotted and does not interfere with the entertainment. *Rick.*

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**'MR. FIXIT'**
**With Ed Pearson**
**15 Mins.—Local**
**LOW'S SUPPLY CO.**
**Thursday, 6:15 p.m.**
**WPRO, Providence**

Glorified household hint idea attracting plenty of mail and questions. Household problems ranging from the fixing of knobs, door handles, baseboards, floor space, the painting of screens and how to remove chewing gum are only a few of the many questions asked and answered.

Good idea for the newlyweds and general unhandy men around the home. *Malo.*

# 'THE COMMISSION HAS NO JURISDICTION' REGARDED AS UNIQUE F.C.C. LANGUAGE

## Technicality in WMAL Because of Ownership and Operation Being Separate—But Hands-Off Explanation Contrasts with Tendency

Washington, April 26.

Admission that it has limited power to pass on sales of broadcast property which is leased to somebody else was made by the Federal Communications Commission last week a precedent-setting decision.

Purchase of WMAL, one of the two NBC-operated plants in the National capital, by the Evening Star was ratified hastily with observation that 'The Commission has no jurisdiction' over the transaction. No formal explanation was given to account for this surprising conclusion.

Action not only was unusual for the FCC, which lately has been ogling all transfers with great interest, but provoked comment because it is seldom that a government agency readily concedes it has no power over developments in the field it is expected to police. Nobody remembers a similar instance of modestay.

Suggesting a gaping hole in the present law, members of the Commish informally explained that neither transfer of control over functioning of a licensee station nor assignment of a permit was involved, from a technical point of view. Remarked that NBC holds the operating papers, not the M A. Leese Corporation, which is the actual owner of the physicat property.

Decision suggested a delicate legal issue, which may work out to the advantage or injury of other broadcasters who have rented out their plants. If the Commish has no power to rule on the public interest angle of sales of leased transmitters, why can't persons who lease stations wiggle out of the government's clutches by applying the reverse of this policy? And what will happen when the NBC lease expires, particularly if the Evening Star decides to assume responsibility of operating the apparatus and asks for a license in its own name? Or suppose the price paid for purchase of equipment which is rented out to somebody else is so high that an increase in rates becomes necessary sometime in the future to produce a fair return on the investment?

The Commish slant in this instance hinted indirectly at a major inconsistency in policy. If the FCC has control only over the activities of licensees, why does it allow certain owners to rent their plants to other parties and at the same time have the licenses in their own names?

Lawyers were thrown for a loss in this mass of questions. Particularly since it is unlikely the no-jurisdiction decision will be lugged before the courts for clarification.

Transfer of title to the apparatus will not upset operating plans, since NBC still has much time to run. Publishers said they will go along with the present arrangement, which has been in effect since February, 1933, and does not expire until 1941.

# BARE BONES THEORY AGAIN WALLOPED

Washington, April 27.

Tired businessmen in the broadcasting business were given a hint to go ahead and peddle their stations regardless of the Congressional yelping about license trafficking when the Federal Communications Commission approved sale of KFXR, Oklahoma City, last week.

Price of 22 times present value, 8 times earnings, and 15 times initial cost was deemed reasonable by a majority of the regulatory body, which approved transfer of the 100-250-watt plant to a group of local figures. Any apprehension about the FCC's adopting the barebones theory apparently is without foundation.

While the margin was pruned somewhat in comparison with the standard of the old days—when a clear-channel transmitter might fetch $1,250,000, for example—the Commish majority saw nothing wrong in paying $65,000 for a local oullet which could be duplicated for only $4,000. The purchase price—comprising $50,000 to the present license-holder, the Exchange Avenue Baptist Church, and $15,000 for the station manager, who has a profit-sharing agreement—was said to be in the public interest, particularly in view of the plans to improve service to the listeners.

In view of the standards laid down when the Commish allowed Ruth Goggins Roosevelt, wife of the President's son, to take over KFJZ, Forth Worth, for approximately twice the value of the assets, the Oklahoma City action indicated the li is off. In the newest incident, neither the Commish nor the examiner thought it worth while to mention the total claimed value of the station as a business enterprise, aside from remarking that the recent profit has run from $7,000 to $8,000 annually.

Verdict was not unanimous, indicating that some members will continue to measure the reasonableness of the cash passing from hand to hand. Commissioners Norman S. Case and George Henry Payne joined Chairman Frank R. McNinch in frowning on the transaction. No minority opinion was issued, although Case was reported scribbling a blast at the deal and the attitude of the other four members.

# Time Bought in Advance By 'Mystery Candidate' For All-Radio Campaign

Oklahoma City, April 26.

Importance of radio to political campaigning is given emphasis in Oklahoma by revelation of an $8,000 time purchase from the Oklahoma Network by an, as yet, unnamed 'Mystery Candidate,' who is scheduled to announce his candidacy for Governor May 7 (last filing date) and for 56 straight days, until the June 12 election, will barrage state voters with 15-minute daily broadcasts. General Manager Joseph W. Lee of the Oklahoma Network confirmed the time purchase and revealed the money was cash in advance.

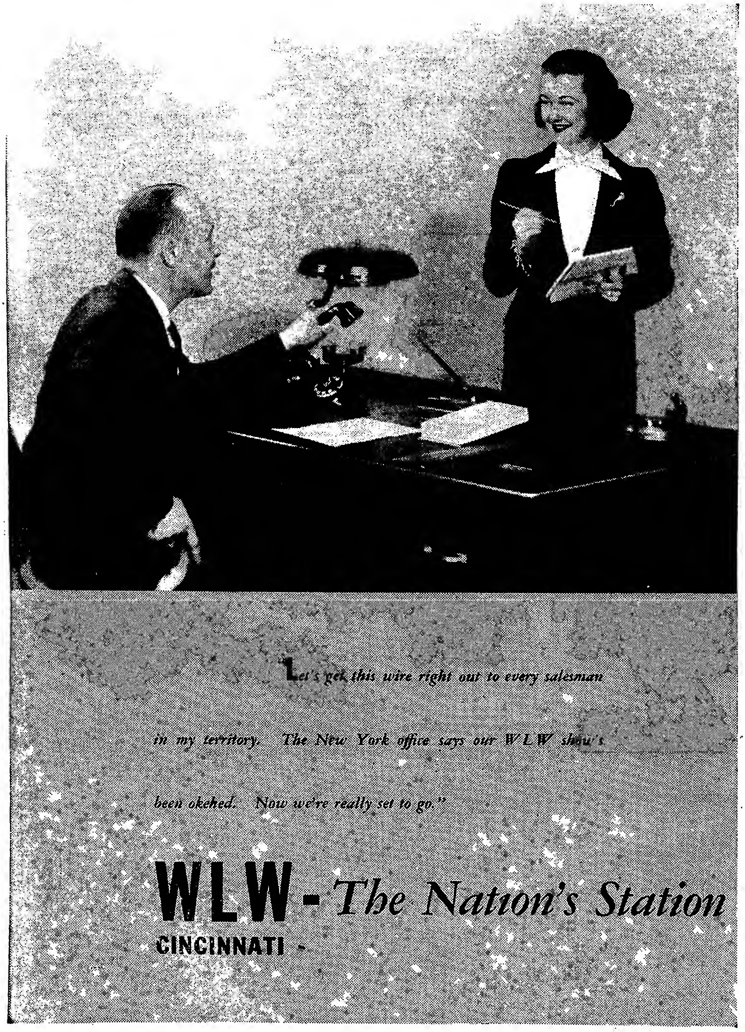
Time schedule for the 'mystery broadcasts' call for daily talks over KTOK, Oklahoma City, and KTUL, Tulsa, and three times a week over the entire Oklahoma Network, plus KASA, Elk City. The 'Mystery Candidate' is rumored to be a well-known business man of the state, who has never previously been in politics, and who will base his entire campaign on the radio talks.

## KDYL's New Tower

Salt Lake City, April 26.

New 400-foot KDYL (Salt Lake City-NBC affiliate) vertical radiator, when completed, will be the highest structure in Utah. Radiator, together with transmitter and other apparatus, will form mechanical backbone of new 5 k.w. transmitter, scheduled for operation about July 15.

A $15,000 building to house the equipment is nearing completion on a site adjoining the old 1 k.w. transmitter.


"Let's get this wire right out to every salesman in my territory. The New York office says our WLW show's been okehed. Now we're really set to go."
WLW - The Nation's Station
CINCINNATI -

# N.A.B. GRIMACING AT F.C.C.

## Landis, White Endorsed By Boston N.A.B. Meeting; Deplore Short License

Boston, April 26.

Regional meeting of National Association of Broadcasters zone group was held Saturday in Boston. Voted to recommend two names to N.A.B. committee as paid prez possibilities. James M. Landis, dean of Harvard Law School, was suggested by John Shepard of the Yankee network while Thompson Guernsey of WBLZ, Bangor, offered Senator Wallace White's name. Both were okayed by meeting as good guys.

Zone meeting also deplored the short term license tactic of F.C.C. whereby stations are hot-seated when complaints against them pend. Shepard's WNAC and WAAB are currently on junior tickets.

### WFBR's DX to Europe

Baltimore, April 26.

NBC will pick up Joseph Imbroguilio and staff orch. of WFBR for weekly coast to coast airing over its Red network with additional short wave broadcast to Europe. Local program will go out as emanating from 'Baltimore, the Birthplace of the Star Spangled Banner.' Set for noon April 30 and every Saturday thereafter throughout the summer.

### Eddie Coontz With KVOO

Tulsa, Okla., April 26.

Eddie Coontz, formerly with NBC in New York, has been named chief announcer of KVOO here, to succeed Robert DeHaven, who will go to Minneapolis.

Coontz formerly worked for WKY in Oklahoma City and has been directing dramatic radio shows for NBC.

## DISTURBED TUNER-INNERS

### Threaten Dick Brooks on Nazi Cracks—Block on Jap Records

Comments of Dick Brooks, news commentator of WNEW, New York, on last week's Nazi activities in the metropolitan area, and the playing by Martin Block of two Japanese recordings on the Make-Believe-Ballroom program, brought a deluge of abuse by mail and telephone down on the pair last week.

Brooks was threatened by phone with the same treatment given a Brooklyn editor of an anti-Nazi magazine, who was beaten and whose office was wrecked last week. He also received a threat through the mail which was turned over to officials.

Block played two records made by Midge Williams, singer, which were cut by the latter in Japan in the Japanese languadge and in swing tempo. Following their airing station's trunk lines were clogged with calls accusing Block of ignoring the Japanese boycott and other pro-Japanese activity.

## WOR Jumps In Ahead Of CBS on Word Tieup

WOR, N. Y., stepped in fast last night (Tuesday) with a 'What's in a Word?' stunt that tied in with Funk & Wagnals and had Dr. Charles Earle Funk along with Allen Prescott and Bob Stanley's orchestra. Heard at 9:30 p.m. Continuance, and form, not set.

Tonight (Wednesday) Columbia is scheduled to launch series called 'The Word Game' with Max Eastman which has a Webster Dictionary tie-in.

## EXPECTED TO RESIST POWERS

### Gradual Awakening to Usurpation of Authority by Government Bureau—See Regulation of Smallest Details Unless Trend Is Stopped

### SELF-DEFENSE

Washington, April 26.

Stiffer resistence to mounting demands of the Federal Communications Commission will be proposed to the National Association of Broadcasters shortly. Initial move anticipated this week when the board of directors convenes to push ahead with reorganization details.

Convinced that the industry will suffer unless it begins giving the FFC a fight, crusading element in the trade body high command wants to raise defenses against over-regulation—such as was pointed out in VARIETY fortnight ago—and mobilize solid front to check trends toward constant government inroads.

First step is expected to be a resolution condemning the present FCC practice of issuing temporary licenses for stations which have been target of complaints regardless of merit. Reflects growing alarm over excessive inconvenience, possible injury, and arrogation of power not contained in the statute.

Purpose of the whereaser would be to urge the FCC to establish regular procedure with squawks and accusations about law violations. Most industry leaders feel it is decidedly unfair to use every yowl as ar excuse for calling licensees on the carpet in a manner which indicates to the public and their competitors they are guilty of some heinous offense. Since many of the kicks are found to be groundless upon close scrutiny, practice causes unnecessary embarrassment, often financial harm. Effort will be made to have the NAB recommend the Commish use the revocation procedure in major instances of misconduct, rather than approaching the goal by a roundabout way which Congress did not intend.

**Lethargy Costly**

Whether this stunt is tried, a personal appeal will be made to all industry units to whip up their courage and get set for a fight to protect their liberties. Barnstorming tour is contemplated, for the primary objective of warning association members that continued lethargy is an invitation to stringent regulation over phases of broadcasting which it is at least argumentative whether the Commish has any control. Broadcasters will be told if they don't wake up and begin scrapping, the FCC will be fixing rates, telling them what they must carry, and dictating many minor details of station operation.

New sign of awareness on the part of some NAB figures. Believe the reorganization plan will be futile unless it leads to more aggressive functioning.

## Paid Prez for Trade Association Is Undisputed Champ Dilemma

Washington, April 26.

Without much hope of filling the presidency with a permanent executive, directorate of National Association of Manufacturers reassembles Saturday (30) to push renovation of headquarters organization.

General discussion of pressing problems and further exchange of views about the new industry leader is slated, but little chance is seen that the board will make any material headway toward replacing Mark thridge with a boss appointed on a regular basis. Financial situation still isn't good enough, while the staffing of headquarters remains most pressing.

Authorization to hire at least two of the key men for the front office will be sought by Phil Loucks, acting general counsel and steerer of the reorganization plan. Wants to hire promptly aides to take charge of industry and public relations and to head up the research work, both into programs and trade statistics. Pump-priming idea to get the organization set for serious business when the various Federal Communications Commission hearings come on.

### WGY Party June 11

Schenectady, N. Y., April 26.

Baptism of WGY's new five-studio building will be June 11, unless there is a trip-up. NBC will coast-to-coast a program in which New York artists will broadcast with WGY alumni and present staffers.

HOUSEHOLD FINANCE CORP.
is starting its
8th CONSECUTIVE YEAR
with
WCAU
50,000 WATTS · PHILADELPHIA

# Senator White, Back from Cairo, Thinks Radio Biz Should Favor Honest, Non-Political Scrutiny

Washington, April 26.

New efforts to gain authority for Congressional appraisal of the Communications act and scrutiny of both the Federal Communications Commission and the industry were plotted this week by Senator Wallace White of Maine.

Just back from Cairo conference, the former Representative who fathered the original radio law has begun lobbying for money with which the Senate Interstate Commerce Committee, of which he is the ranking majority member, can make a comprehensive study to see how the 1934 law is working out, whether it needs overhauling, if regulatory policies are sound, and how the industry is behaving.

Preparing to launch a one-man probe if necessary, White last week renewed his appeals for action by the Senate Audit and Control Committee, which has been sitting on the committee's request for a campaign fund since late last session. Asked Senator James F. Byrnes of South Carolina to loosen up with the cash, despite Administration pressure to block the resolution giving the committee subpoena powers.

Convinced a detailed inquiry is vital to effective control of radio, White told VARIETY Monday (25) that the need for a study of the sort proposed in his measure and recommended by the Interstate Commerce committee has not diminished during past few months. Despite infusion of new blood into the FCC it remains important for Congress to eye the whole field and possibly stiffen the law.

### Not Impressed

'I am not at all impressed by the Commission's decision to conduct its own study of chain broadcasting and possible monopolies,' the Maine solon said. 'It looks too much like somebody investigating the things he may be responsible for.

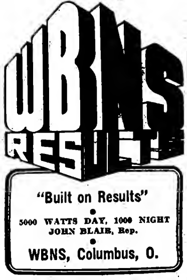
'It seems to me that this Commission and the whole industry ought to be the first persons to welcome a serious, non-political Congressional study of the problem of making the most effective use of our natural resources. Of course, they can't be blamed for not wanting to see a head-hunting, mud-slinging attack, but I do not propose that sort of a proceeding.'

### Ken Davis Visits KOL

Seattle, April 26.

Kenneth Davis, lawyer in the anti-ASCAP case hereabouts, but now living in Los Angeles, spent few days here last week.

Headquarters in office of Archie Taft, prez of KOL.


"Built on Results"
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5000 WATTS DAY, 1000 NIGHT
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WBNS, Columbus, O.

Colorado Transacts Its BUSINESS In the KLZ area

KLZ's primary listening area embraces more than 80% of Colorado's 30 eastern counties inhabited by 78.21% of its people. Influence this active section doing 81.1% of the state's retail business with Colorado's most active station—first choice among Denver's successful retailers.

In Denver It's KLZ
CBS Network — 560 Kc.
REPRESENTATIVE - THE KATZ AGENCY, Inc.

### Guessed Right

San Francisco, April 26.

One for the Zenith foundation, which delves in psychic phenomena, is Ernie Smith's recent re-creation of away-from-home baseball game of San Francisco Seals on KGO.

When Ernie came to the ninth inning, reports on the second half were there, but the first half was a blank.

Unable to locate the wires, he went ahead and broadcast what was happening from his own imagination. After the show, Ernie checked and found that his guesses coincided with what actually happened.

# NEWSPAPER BLOOD NO STIGMA?

Washington, April 26.

Animosity of the Federal Communications Commission toward newspapers in the radio business continued to melt last week as two publishers were allowed to build new transmitters. Fear of local monopolies also seemed to trickle away simultaneously.

Despite the months of furor about press invasion and possible domination of methods of informing the public, the Commish allowed the Champaign (Ill.) News-Gazette—which already owns one outlet—and Frank Gannett, one of the leading Roosevelt haters in the newspaper coterie, to construct local stations in Champaign and Danville. Gives Gannett, who owns a string of rags, his fourth vocal mouthpiece.

In two of the curtest opinions since the courts told the Commish to give detailed reasons for its action the airwave cops blinked at the fear that publishers might corner the ways of reaching the public and held it was in the public interest, convenience and necessity to permit them to widen their radio holdings. Decisions occasioned comment inasmuch as the Champaign sheet already owns the only transmitter in town and Gannett has outlets in Elmira (WESG), Rochester (WHEC) and Portland (Me.) (WGAN).

The newspaper ownership issue was ducked completely—presumably because of the recent remark of the District of Columbia Court of Appeals, which said it knows of no law preventing publishers from being broadcasters—in each instance. Likewise in the Champaign case the Commish forgot it is opposed to giving a second station in the same area to a present licensee.

# WTIC PUTS IN STRONG REBUTTAL TO F.C.C.

Hartford, April 26.

Seventeen pages of exceptions to the report of Examiner P. W. Seward of the FCC, recommending a denial of the application of WTIC for voluntary assignment of its license, have been filed with that body by attorneys. Date for oral hearing has been set at May 12.

In the exceptions, attorneys claim that much of Seward's report is incorrect. Also take exception to his report company refused him information. Claim that he never sought information of the type he mentions.

Claim is made by station officials that change would make no difference in the structure of the company. Would only simplify matters. It was pointed out that the present licensee has no financial responsibility either. Depends on the huge reserve of the insurance companies.

# WDAS Salesman Admitted As Lawyer Before F.C.C.

Philadelphia, April 26.

Louis N. Palens, member of WDAS sales staff, was admitted last week to the practice of law before the Federal Communication Commission.

Palens, an attorney for many years, long ago gave up active practice for radio time sales bi

# Vast Data Round-Up for Super-Power Hearings Brings Postponement

Washington, April 26.

General hearing on entire new set of regulations embracing new allocation and engineering policies was seen on the horizon this week following request of 62 parties for opportunity to air their views on superpower.

Decision on holding another oratorical field day—but this time on specific issues ranging from wattage limitations to frequency classification—is scheduled by the FCC Wednesday (today), with postponement of the session until early June expected.

Original idea of getting thoughts on removal of the present 50 kw maximum for clear-channel plants at the same time evidence is taken on 15 requests for superpower permits was scrapped Friday (22) by the three-man committee named to act as trial judges. Recommended to their colleagues Monday (25) that the individual applications, except for requests of WLW, Cincinnati, and WHO, Des Moines, be postponed indefinitely until Commish makes up its mind whether to perpetuate the present maximum power rule.

The procedure would be to issue within the coming week a comprehensive set of new regulations for information of the industry and then allow all parties to outline their slants on the modernized code. Saving numerous parties two or more trips to Washington. At the same time WLW would be enabled to offer evidence on the general superpower issue which might be pertinent to its request for continuance of special experimental authority.

New regulations are pretty well shaped up, with the Commish engineers proposing continuance of the present 50 kw roof and slicing the number of frequencies reserved for exclusive night use of a single transmitter.

### ithdraws

reliminaries found NBC urging a jolt for WJZ, key station of the blue web, and Columbia withdrawing its only request, the application of KNX, Los Angeles, which was inherited when the plant was acquired from Guy Earle.

Change in present Rule 117—which fixes maximum power at 50 kw—would help listeners, advertisers and clear-channelites, Caldwell contended in his treatise-like brief. Represents KFI, Los Angeles; WSM, Nashville; WLW, Cincinnati; WGN, Chicago; WSB, Atlanta; WJR, Detroit; WBAP, Fort Worth; WFAA, Dallas; WHAS, Louisville; WWL, New Orleans; WLS, Chicago; WHO, Des Moines; WHAM, Rochester, and WOAI, San Antonio in this proceeding. Aided by regular legal spielers for some of the group.

Outlining the data the behemoths will offer, Caldwell said that 50 kw, the present limitation, brings about 'wasteful use of a clear channel and a failure adequately to accomplish the principal purpose for which such channels were established and are maintained.' Said that on at least 25, and preferably 28, of these ribbons the limit should be made indefinite and 50 kw ought to be the minimum rather than maximum.

Since clear channels were intended to provide service for rural areas which could not support their own stations, the Commish should authorize the power which will lay down the strongest signal in sparsely-settled regions, Caldwell declared. Should remove 'unnecessary and unreasonable' obstacles to better service.

Going into the technical phases of radio operation, Clear-Channel Group mouthpiece averred that regional and local transmitters cannot do an effective job of feeding receivers in the wide open spaces. Regional plants give interference-free service over a radius of only 35 miles and locals but 10 miles, he said.

Inadequacy of present service makes more juice imperative, according to Caldwell. During the day, large sections, estimated at over 41% of the total acreage and a huge population, get no coverage or only weak signals and in the night more than 80% of the nation's area has poor or no service. Furthermore, many urban sections don't get what they should have in the way of good reception or choice of programs.

**H. R. Gross**, radio newscaster for WHO, Des Moines, has announced he won't run as Republican nominee for governor of Iowa at the coming primaries after all.

★ ★ ★
JUNIOR ROUND TABLE on WOW

Fifteen minutes every Thursday afternoon . . . a round table discussion by youngsters of 8 to 12 years of age . . . giving our future generation a chance to talk about wars, dictators, floods, strikes, all the doings of the world.

The show was sold immediately to the makers of OKAY WHOLE WHEAT FLAKES. Even the "commercials" are handled by the youngsters. First station to use the idea was, of course, the Showmanship Station—WOW.

WOW
OMAHA, NEBRASKA
590 KILOCYCLES
★ 5000 WATTS ★
JOHN GILLIN, JR., Mgr.
JOHN BLAIR CO., Representatives
Owned and Operated by the Woodmen of the World Life Insurance Society
ON THE NBC RED NET

In Baltimore, it's
WFBR
ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
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Prospective SPONSOR
Productive RADIO EXECUTIVE
Please ——YOUR PUBLIC

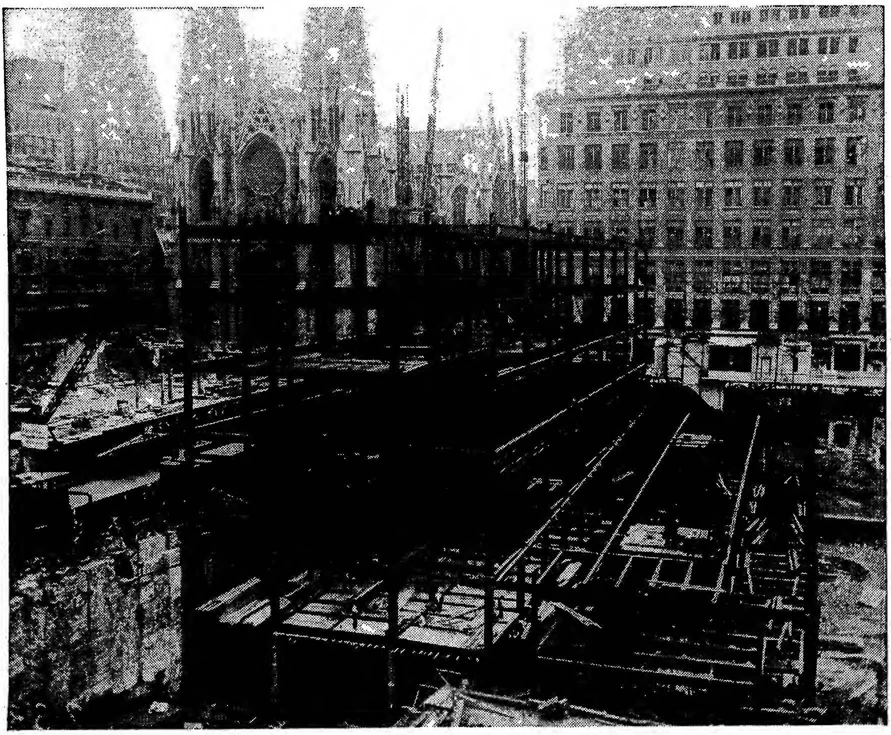
YOU WILL WANT TO KNOW THIS

is not just a program
. . . . . It's A RADIO PLAN

That Will MAKE Both SPONSOR and PRODUCT an INSTITUTION
COMPLETE MUSIC—CAST MERCHANDISING
Will Submit ONLY in Person to EXECUTIVES

I Am at
Box 100, Variety
New York

# SOLID CONSTRUCTION



A building development—such as Rockefeller Center—attracts a calibre of tenant in proportion to its construction . . . So with a trade publication . Attesting the VARIETY RADIO DIRECTORY'S solid construction and trade usefulness is its record . . . Agencies controlling 96% of all national radio money last year availed themselves of from one to 15 copies of the DIRECTORY (at $5 the copy) . . . For details on turning this solid structure, with its list of solid clients, to advertising advantage, consult your nearest Variety office.

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# DIZZY DEAN'S RADIO HOST IN ST. LOUIS

St. Louis, April 26.

Recent sale of Dizzy Dean to the Chicago Cubs will deprive the gabby one of approximately $5,000 that he received annually for the past several years by doing radio work and making p.a.'s for Dick Slack, owner of a retail furniture store in East St. Loui When the Cards were in town Dizzy would hike across the Mississippi every Saturday night to Slack's store and spin baseball yarns with customers and glad-hand others.

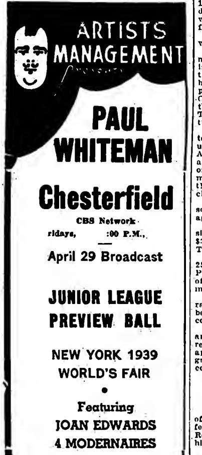
As the occasion demanded, Dizzy would also do some radio stuff on one of Slack's many air programs. After Dizzy was shunted to Chicago Slack said he was going to see Bill Wrigley, Dizzy's new boss, with the idea of arranging for the Great One to do his stuff at Slack's store as the Cubs visit here 11 times during the current season.

### Central Missouri's Baseball

St. Louis, April 26.

Central issouri is getting its first static-free baseball broadcasts through WOS, Jefferson City, and KFRU, Columbia, the play-by-play account of all home games of the Cardinals and Browns being piped from KWK. Johnny O'Hara is doing the mike work.

Commercials for Kellogg by Allan C. Anthony.


ARTISTS MANAGEMENT

PAUL WHITEMAN

Chesterfield

CBS Network
ridays, :00 P.M.

April 29 Broadcast

JUNIOR LEAGUE PREVIEW BALL

NEW YORK 1939 WORLD'S FAIR

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ADRIAN ROLLINI'S
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# F. C. C.'s WASHINGTON DOCKET

## MAJOR DECISIONS

Washington, April 26.

**Illinois:** (1) Nighttime operation for WDWS, Champaign, received Commish sanction last week, with further permission to up its daytime power from 100 to 250 watts. Daytime smallie, owned and operated by the Champaign News-Gazette, Inc., could increase its listeners from 169,297 to 299,000 by the increase in day power, Commish ruled, and would provide a needed night service operating with 100 watts. No interference would be experienced by nearby stations. Paul D. P. Spearman represented WDWS.

(2) New Gannett transmitter authorized, giving the publisher-broadcaster a toe-hold in Danville.

Northwestern Publishing Co., controlled by Gannett, Inc., of New York, will set up a daytime 250-watter financed by Frank E. Gannett. Gannett is owner of WESG, Elmira, N. Y., and has other radio interests.

Commish, in its okay, pointed out that plenty of dough was available for the venture, a need for service exists in the area and applicant is in all ways qualified to own and operate. Station will use the 1500 kc frequency.

Horace L. Lohnes and Fred W. Albertson appeared in behalf of applicant.

**Michigan:** Invisible bankroll of Ann Arbor Broadcasting Co., Inc., drew a denial on the request for a special broadcast station to be located at Ann Arbor. Showing considerable doubt as to applicant's ability to raise sufficient cash for construction and operation of the proposed transmitter, Commish further questioned the proposed program of high fidelity research which would make the applicant eligible for the 1550 kc frequency requested.

Pointing out that the company, capitalized at $50,000, had $177.33 in the bank at the time of the hearing, and that only 5% of $25,100 in stock subscriptions has been paid in, FCC cast doubts upon ability of the group to finance the venture. Approximately $19,000 would be available, if subscriptions were paid in full, Commish said, while construction of the transmitter alone would cost more than $21,000. With receipts estimated at $2,820 monthly, and operation costs of $2,700, did not see how the deal could be consummated. Also declared that: 'The program of research and experimentation proposed by the applicant does not indicate reasonable promise of a substantial contribution to the development and practical application of high fidelity broadcasting.'

Operation of the station on the requested frequency, with 1 kw unlimited, would interfere with experiments being conducted by WQXR, Long Island City, N. Y., in collaboration with the Bureau of Standards at Washington, decision further declared.

Louis G. Caldwell, eed T. Rollo and Donald C. Beelar were retained by applicant.

**Oklahoma:** Long-awaited decision on the Exchange Avenue Baptist Church case was settled in favor of the organization, which operates KFXR, Oklahoma City. Suspicions that the transmitter had violated the Communication Act by a lease-agreement entered into without Commish approval or knowledge were cast aside by four of the seven Commissioners, when it was voted to grant assignment of the station's license to the Plaza Court Broadcasting Co. Three Commissioners—Case, Payne and Chairman McNinch—turned thumbs down on the deal and dissented.

Operated since 1929 through a pastor and radio committee of the church, KFXR was managed from 1932 to 1934 under a lease by B. C. Thomason without FCC knowledge. Alibi was that the licensees were unaware of the regulation and a second agreement was entered into with knowledge of the Commish, giving Thomason less control over the transmitter but containing 'substantially the same provisions as the 1932 agreement with respect to the payments to the church for the rental of the station.'

Whole biz has been a headache to the church, which described the station as a 'continual source of annoyance and agitation since it was first commercialized.'

Price-tag apparently shocked the three dissenting commissioners, since present valuation set on the transmitter is $3,011 and purchasers must pay $50,000—plus $15,000 to Thomason for his lease-agreement.

Station, which operates on 1310 kc with 100 watts nights, 250 watts days, was represented by Elmer W. Pratt, with Paul M. Segal and George S. Smith acting in the interests of Plaza Court Broadcasting Co., applicant for the assignment of license.

**Puerto Rico:** Attempts of Juan Piza to establish a second radio station at San Juan were turned down by the Commish because of applicant's inability to produce 'cogent facts' concerning the new transmitter.

Piza already is owner of WNEL, San Juan, Commish argues, and WKAQ also serves the community. Applicant's request for a local station which would render local service appeared to be unsupported, according to the ruling and granting of the application would not serve public interest, convenience and necessity.

Piza was represented by Elmer W. Pratt.

## MINOR DECISIONS

**Kentucky:** WHAS, Barry Ingham, executor of the will of Robert W. Bingham, Louisville, granted involuntary transfer of control of the Louisville Times Company, licensee, from Robert W. Ingham to his son Barry Bingham, executor of his will.

**Maryland:** WJEJ, Hagerstown, granted night power boost from 50 to 100 watts and change in time of operation from specified to unlimited.

**Michigan:** Gennessee Radio Corp., Flint, denied petition for rehearing in re application for new station to be operated on 1200 kc with 100 watts nights, 250 watts day specified hours.

**Missouri:** Charles Porter and Edward T. Eversole, Festus, on its own motion Commish remanded for further hearing application for authority to establish a new station to be operated on 1420 kc with 100 watts, days only. Purpose of hearing is to afford applicants an opportunity to clarify the record as to their financial and legal qualifications. Case is to be heard before an examiner and is to be limited to the points mentioned. Petition of attorney for applicants for a rehearing dismissed.

**North Carolina:** WSJS, Piedmont Publishing Co., inston-Salem, granted petition to withdraw without prejudice application for operation on 900 kc with 1 kw nights, 5 kw days.

**Ohio:** Go-ahead signal for a daytime smallie for Youngstown was given by the Commish when it was decided that commercial support for WKBN, existing transmitter, would not be harmed by construction of a second station.

Applicant, William F. Maag, Jr., is managing editor of the Youngstown Vindicator. Showing a net worth of $337,814, he proposes to spend $19,000 for construction of the new station, plus $1,935 monthly for its operation.

Need exists for daytime service in the area, FCC held, and no objectionable interference would result to other transmitters. WKBN, which shares time with WOSU, Columbus, is a chain outlet, while Maag's station would provide service of a more local nature. New station will be given the 1420 kc frequency.

Maag was represented by Ben S. Ishor and John W. Kendall.

**nth Dakota:** WNAX, Yankton, remanded for further hearing application for approval of transfer of control from Charles H. Gurney to South Dakota Broadcasting Corp., to be heard together with application for license renewal.

**Tennessee:** WREC, Memphis, granted request for special temporary authorization for a period not to exceed 30 days, to boost night power from 1 to 5 kw, to counteract interference from a station in Havana, Cuba.

**Texas:** KOCA, Kilgore, granted voluntary assignment of license to Oil Capital Broadcasting Association, a corporation.

**Wisconsin:** Journal Company, Milwaukee, denied petition for rehearing in re application to use 1570 kc with 1 kw.

**Wyoming:** Paul R. Heitmeyer, Cheyenne, Commish having vacated its order of May 1, 1936, denying the application of Heitmeyer for a new station to be operated on 1210 kc with 100 watts nights, 250 watts days, and the related statement of facts and grounds for decision, pursuant to and in conformity with the mandate of the U. S. Court of Appeals for the District of Columbia, in No. 6762, Paul R. Heitmeyer, vs. Federal Communications Commission. Commish, on its own motion, directed that the record in this case be reopened for further hearing and consolidated with a hearing de novo this day ordered upon the application of the Frontier Broadcasting Co., and a hearing this day ordered upon the application of the Cheyenne Radio Corp., such further hearing to be held before an examiner.

## EXAMINERS' REPORTS

**Alabama:** Daytime smallie for Anniston was recommended by Examiner Tyler Berry, when Harry M. Ayers, majority owner of the Consolidated Publishing Co., requested a berth on the 1420 kc ribbon.

Applicant is well financed, no primary daytime service exists at present in the town and no existing transmitters would suffer, Berry ruled.

Elmer W. Pratt appeared in behalf of the applicant; daytime smallie on 1200 kw was recommended by Examiner P. W. Seward, for Mobile, when applicant proved that he was qualified financially and otherwise to construct and operate a station.

S. B. Quigley, applicant, a local automobile and specialty merchant, showed more than $20,000 available for construction of the transmitter, plus a yearly income between $20,000 and $25,000. Quigley would continue to advertise ith WALA, existing station in Mobile, and perfect harmony between the two transmitters was assured by WALA's testimony favoring a second transmitter for the city. To cement the friendship, applicant has offered 25% of the corporate lock to the owner of WALA.

With everything okey and no interference threatened, Seward recommended granting of the application. Application. Applicant was represented by Thomas P. Littlepage, Jr., and John M. Littlepage.

**New York:** Turn-down for Tri-City Broadcasting Company, Inc., on its application for a Schenectady station on 950 kc with 1 kw was requested by Examiner Melvin H. Dalberg. Applicants comprise the Schine Chain Theatres, Inc., which jumped into the breech on the day of the hearing which had been set and offered to angel the enterprise. Sudden switch took a jump out of respondents, who, 'claiming surprise,' asked that the plea be denied and dismissed.

Former applicant for the station was the Knox Broadcasting Corp.—involved in a bitter political radio scrap in 1935. Name of the corporation was changed to Tri-City, but presently the Schine Theatre group has offered to finance the $49,000 transmitter.

Application was skedded for a turn-down chiefly because of serious interference which would result to WRC, Washington, D. C., if the application went through. Both WRC and CRCK, Canada, would interfere with the proposed station if the deal went through, Dalberg found.

Applicants retained Joseph P. Tumulty, John Welsh and John Wettawa.

**Texas:** Construction of a 100-watter for Vernon—to be operated on 1500 kc—should be given Commish approval, according to Examiner P. W. Seward. Application of the Northwestern Broadcasting Co. is in line with the interests of the community, Seward held, and a co-partnership comprising three individuals was found qualified in all respects to build and operate the transmitter. Partners showed bank deposit of $6,000 as an initial fund to be used in connection with the establishment of the proposed $14,653 station.

R. H. Nichols, editor and publisher of the Vernon Daily Record revealed $60,850 in total assets and testified that he was ready to turn over additional stock in the publishing company—of which he is 60% owner—if more cash is required. Assets of the two other partners, W. H. Wright and Stewart Hatch, were listed at $6,669 and $2,500, respectively.

With no primary service at present being received in the town's business district and no broadcast station located in the area, granting of the request would benefit the city, Seward declared. No interference would be expected to existing transmitters, he further stated.

Applicants were represented by James

## SET FOR HEARING

**California:** KTRB, Thomas R. McTammany & William Bates, Jr., Modesto, license renewal on 740 kc with 250 watts, days only.

**Florida:** Miami Broadcasting Co., Miami, new station to be operated on 1420 kc with 100 watts.

**Illinois:** W9XAP, National Broadcasting Co., Inc., Chicago, boost power from 50 to 100 watts in a high frequency broadcast station.

**Kentucky:** WCKY, L. lleon, Inc., Covington, power zoom from 10 to 50 kw.

**New Jersey:** WPG, City of Atlantic City, Atlantic Ci , change hours of operation to part of WBIL's (N. Y.) time.

**New York:** WBIL, Ards Bulova, change specified hours of operation, deleting the hours from 2 to 3 p.m. on Fridays, in addition to all its daytime operation on Sundays which is the period from 3:15 to 4:30 p.m., contingent upon the granting of these hours of operation to station WPG, Atlantic City; WKBW, Buffalo Broadcasting Corp., Buffalo, renewal of license on 1180 kc with 5 kw.

# KRNT FEEDS FOUR UNIT BASEBALL LOOP

Des oines, April 26.

KRNT, Des Moines; WMT, Cedar Rapids; KMA, Shenandoah, and WNAX, Yankton, S. Dak., as a network will broadcast all of the St. Louis Cardinals games except those staged in towns where broadcasting is prohibited, on which dates other league games will be aired. Gene Shumate, KRNT sports announcer, will be official commentator for the network, assisted by Gayle Hayes of the sports department of the Register.

Sponsored by General Mills (Wheaties) through Knox-Reeves of Minneapolis, for the entire baseball season, Shumate will also give score reports from both the National, American and other games of general interest between innings and he will also have a scoreboard resume at 5 p.m.

Importance of having an assistant from the sports department of the newspaper was marked Wednesday by getting scoops on both the Bob Feller one-hit game and the Joe DiMaggio contract during the baseball broadcast by Shumate.

General Mills also has sports resume via Bill Brown on WHO. Daily half hours.

### Pollock at KDB Hel

Santa Barbara, Calif., April 26.

Earl Pollock, commercial manager of KDB, takes over management of the station, replacing Don Hastings. ransmitter in on Don Lee coast chain.

Mgt.: LOU CLAYTON
20th Century-Fox Studios, H'wood

THE Barnet BULLETIN
CHARLIE BARNET
And His Orchestra
Picked to Play
PLEASURE BEACH PARK
BRIDGEPORT, CONN.
MAY 22
EXCLUSIVE MANAGEMENT
CONSOLIDATED

WENDELL HALL
Composer-Writer
IT AIN'T GONNA RAIN NO MO'
MELLOW MOON, ONE EYED LOVE
MY OLD FASHIONED SCRAP BOOK
MY DREAM SWEETHEART
LAND OF MY SUNSET DREAMS
Address: 4351 N. Paulina St., Chicago

DON ROSS
THE RHYMING MINSTREL
12 O'CLOCK NOON
EVERY MONDAY
WEDNESDAY and FRIDAY
Mutual Broadcasting System
FOR
BOSCO

NBC-BOUND
LANNY GREY'S RHYTHM SCHOOL OF THE AIR
Pupils of the Class
Mary McHugh—Platinum-voiced Peel!
Don Richards—Toreador of Song.
Lucille and Lanny—Combination of Swingeroo.
Jimmy Rich—Bad Boy & Nursery Rhyme King.
And Lanny Grey as the Rhythmaster.

'THE O'NEILLS'
By JANE WEST
HOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap · 99 44/100 % pure
LISTEN IN.. TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. DST
CBS - WABC— 2:15 to 2:30 P.M. DST
COAST TO COAST
Dir. COMPTON ADVERTISING AGENCY
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

## Hartford Forms Ad Club, William Malo an Officer

Hartford, April 26.

William Malo, commercial manager of WDRC, has been elected a director of the newly organized Advertising Club of Hartford. Has also been appointed a member of the publicity committee.

Organization is a revival of the defunct Hartford Advertising Club.

## WRVA Program Building

Richmond, Va, April 26.

Planning increased production, WRVA last week sent Bert Repine, program man, up to CBS for a look-around and question asker. Also relieving Irv Abeloff, production manager, of most detail work to enable him to plan and supervise added productions.

Station feeds CBS chain with afternoon 'Crossroads Corner' show starting May 13.

## Reorganize WCCO Bureau

St. Paul, April 26.

WCCO Artists' Bureau, formerly a department of the station, has now been reorganized as a separate corporation.

While the stock is owned by CBS, the Bureau is not a part of the Columbia Artists' Bureau. It's a separate entity functioning exclusively in the territory served by WCCO. Al Sheehan, who has conducted the Bureau for several years, is general manager of the new corporation.

### Football—Already

Norman, Okla., April 26.

Action on the question of what stations will broadcast University of Oklahoma football games this fall is due for a decision by the board of regents May 2.

Last year exclusive contract was given WKY, Oklahoma City.

# CHARITY DEMANDS INCREASE

## SOME THINK 25% ARE SPURIOUS

### Radio Stations Forced to Adopt Various Defensive Methods—Los Angeles Uses Clearing House

Demands of charity organizations for free time on radio stations are assuming proportions that have inspired stations in certain communities, notably Los Angeles, to organize a clearing bureau to separate the phonies from the McCoys and keep demands under some sort of control.

Requests for free time from New York stations reached a new high for the year during the past week. Biggest bid came from the Greater New York Fund, Inc., which asked for an hour and a half the night of ay 11 to broadcast a show that the fund was promoting in Madison Square Garden. It will consist of radio, stage and screen talent.

Among the other cuffo time applicants were Community Chests and Councils in surrounding metropolitan burgs and the N. Y. World's Fair (for a preview stunt).

Chicago, April 26.

Local stations make own decisions as to which organizations get free time. Chicago Association of Broadcasters does not accept such responsibility.

Of all requests for free time, ich are terrific, about 25% are thought to be phoney. Politicals, both pro and anti-administration, are big time moochers locally.

Stations give plenty free time to legitimate organizations, such as Red Cross, Tuberculosis Association, Adult Education Association, Parent-Teachers Association, Chicago Dental Society, Illinois League Women's Clubs, School for Taxpayers, Illinois Medical Association and others.

All stations donate from 15 minutes daily to half hour daily average to free time. WJJD, for example, puts aside two 15-minute periods daily, six days weekly, for free time. Others have more or less similar setup.

Detroit, April 26.

Leo Fitzpatrick of WJR reports station 'besieged with requests for free time for many local charitable organizations, dances, bazaars, etc.' and declares:

'We handle these by explaining that WJR is not a local station but covers such a wide territory in Michigan, Ohio and Indiana that only appeals of a national relief character are handled by us.'

In Detroit all agree it's impossible to estimate the number that are legitimate or phoney.

Fitzpatrick handles all local re- uests by buying tickets to benefits tion considers legitimate, thereby inating air appeals.

**Must Be Done in Writing**

San Francisco, April 26.

KFRC reports an increase in charity demands. Other stations seem to feel requests are about normal. Some time ago Northern California Broadcasters Association considered clearing such time demands through California State Chamber of Commerce, but some stations nixed this proposal.

Newspaper stations notably prefer to have a free han in selecting or rejecting. Angles are frequently plenty involved with prominent citizens having pet charities.

Lloyd Yoder of NBC belongs to group feeling each request must be judged on its individual merits. Need for Better Business Bureau okay scares out the phonies locally. Stations demand that the or anization state its case in writing. This includes advance sample of what they want to say.

**Clear Through Local C. of C.**

Minneapolis, April 26.

tations here experienced so much chiseling and so many phoney requests for free time that several years ago arrangements were made with Minneapolis Civic and Commerce Association and St. Paul Association of Commerce to clear all requests for time through their organi tions.

Time requests from phoney organizations and others along charitable lines were so numerous KSTP arranged to clear all time for charitable organizations through local community funds. Phoney missing person and police broadcasts so bad that this station makes such only when requested by police department over direct wire from headquarters.

**ecognizes Only Two**

Dallas, April 26.

Martin Campbell of WFAA says there has always been a deluge of requests for free time for charitable and other organizations and has not noticed any material increase.

Majority of the applications made in person are legitimate, while half of the written requests are from organizations with an ax to grind. Community Chest and Red Cross are the only charitable organizations WFAA recognizes. As a regular thing all requests are carefully weighed and at least 90% of them are turned down. Propaganda organizations in the larger cities are very liberal with the literature they send in to stations but in WFAA case almost invariably the material finds its way to the wastebasket.

**Personal Publicity Uppermost**

Philadelphi , April 26.

tations receive about 20 charity requests per week. WIP and KYW grant about one-third, WFIL about one-half, WCAU grants time only to Red Cross, United Campaign and Salvation Army.

Leon Levy believes about half are phoney, most others unimportant and many while not strictly phoney are more for personal publicity than anything else.

**Only 2%**

Cleveland, April 26.

Requests for free ti leveland regarded as 98% itimate. Very few phoneys.

John Patt of WGAR prefers to continue handling such requests direct, as no need here to clear through local broadcast association.

Patt declares 'I consider civic and charity promotion essenti station activity.'

**Each on Merits**

Cincinnati, April 26.

James Shouse, head of WLW, reports:

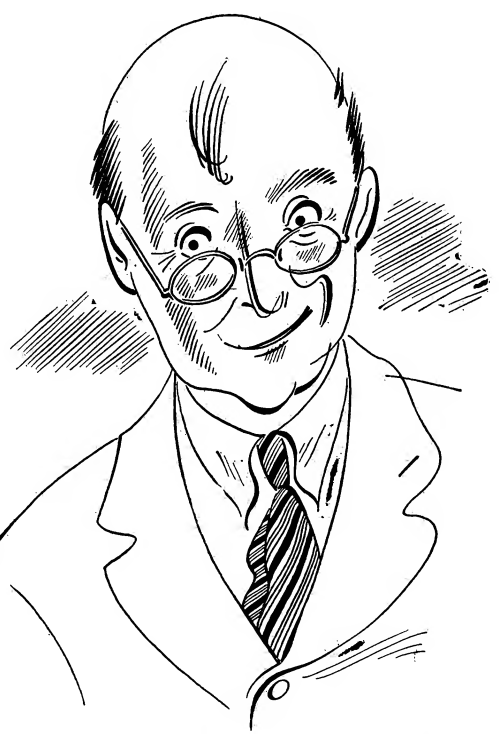
'Have not noticed any appreci increase in demands for free ti , charitable and otherwise. We are naturally trying to handle each request on basis of its individual merit after investigation.'

**Goodki..d's Fight Rights**

Chicago, April 26.

Lewis Goodkind, now heading his own agency, has obtained exclusive broadcast rights to the Marigold Garden fights.

Garden pugilistic exhibitions are head each Monday ight and have built up great following in this town.



"I'm too busy to keep track of all the modern tricks of drug merchandising—but in my neighborhood all it takes to get the business is to support WSAI-advertised products."

WSAI CINCINNATI

• National Spot Representative TRANSAMERICAN

NEW YORK CHICAGO HOLLYWOOD

# Disc Reviews

### By Abel Green

The mag 'College Humor' now has a theme song by that name, authored by Pat Ballard and Larry Clinton, and expertly maestroed and arranged by **Clinton's** combo with **Bea Wain** and the leader splitting the vocal. 'Stop! and Reconsider' is another in the modern sweet-swing idiom by Clinton, this time with Stanley Adams, and Miss Wain again airing the larynx. The conductor-arranger is one of the 1937-38 season's tin pan alley pets, and he's in the groove with this combo. As for 'Joe College Humor,' author Pat Ballard has done an expert job in trailerizing the mag for which he conducts a monthly swing column. Victor 25825.

**ildred Bailey** gives out in swingtime with her own combo—meaning, of course, Red Norvo's—on Vocalion 4036. 'At Your Beck and Call' and 'Bewildered' are solid Jackson in the lazy Bailey manner.

Despite the billing of **Leonard Feather** and Ye Olde English Swynge Band on Vocalion 4062, that's only jive politeness for a brace of invigorating swingos. One is 'Jammin' the Waltz'—a waltz in swing tempo, of course—composed by the maestro. Reverse is the perennial 'Clementine' arranged by Feather. His Ye Olde English Swinge bandmen comprise Joe Marsala, **Bobby** Hackett, Pete Brown, Ray Biondi, Joe Bushkin, Arthur Shapiro and George Wettling.

**Tommy Dorsey** is mellow on Victor 25824 with two Berlin classics, 'Hate to Get Up in the Morning' and 'What'll I Do,' in the 52d street motif.

**Charles (Buddy) Rogers** now bills himself with his 'Famous Swing Band' on Vocalion 4058. 'This Time It's Real' and 'Lovelight in the Starlight' being the foxtrots. **Bob Hannon** vocalizes, and Rogers' combo delivers well enough.

**Vernon Geyer** on the Hammond electric organ, with piano and xylo assistance, gets nice effect out of 'Ti-Pi-Tin' (waltz) and 'Sissy' (fox) on Bluebird 7532.

**Ozzie Nelson's** 'Sheik of Araby' and 'You'll Be Reminded of Me' are rhythmic on Bluebird 7517. **Happy** Felton's Vocalion 4060, 'Let Me Whisper,' rhumba fox, and 'You Had an Ev'ning to Spare,' while not exactly salon, are likewise smooth foxtrotology. Same goes for Ozzie Nelson again with two out of 'Cocoanut Grove' (Par), 'Says My Heart' and 'You Leave Me Breathless,' with the maestro and Mrs. Maestro, **Harriet Hilliard,'** splitting the vocals.

Now that 52d street has gone Scotch in more than the liquid manner, Glen Gray and his Casa Lomaites have uncorked 'My Bonnie Lies Over the Ocean' as their contribution to swingin' the heather. It's paired with 'Malady in F Mi ,' novelty fox by Sonny Dunham and M. C. Snow. Decca 1755, and OK for sound.

On Brunswick 81 , **Chauncey Morehouse** makes much of the n'goma drums in the orchestrations of 'Mai-Pani' ( orehouse) and 'Plastered in Paris' (Franklyn Marks), both ultra arrangements, blending the swingo with the rhumbaesque. Orthodox conga are **Xavier Cugat's** two crack arrangements of 'Cielito Linda' and 'La Paloma,' both arranged by the Waldorf-Astoria maestro, with **Chacha Aguilar** and **Carmen Castillo** on the vocals. Victor 25826. Very jive is the **Benny Goodman** Trio's version of 'Sweet Lorraine' (clarinet, piano, drums) and the reverse, 'Dizzy Spells,' by the Goodman Quartet, which means Lionel Hampton's vibraphone added. It's for the cats.

More swingo: **Cootie Williams** and his Rug Cutters cutting up with 'Carnival in Caroline' and 'Swingtime in Honolulu,' both out of the Cotton Club show, with **Jerry Krueger** vocalizing; Vocalion 4061. On Decca 1756: **Bob Crosby's** Bob Cats with 'Coquette' and Ray Bauduc's jambo called **'The Big Crash from China.'** The Bob Cats, by name, comprise Bob Zurke, Yank Lawson, Warren Smith, Eddie Miller, Irving Fazola, Nappy Lamare, Bob Haggart and Ray Bauduc on the traps. And **Chick Webb** with his Little Chicks, on Decca 1759, isn't exactly salon as he gives out with 'Sweet Sue' and 'I Got Rhythm,' said Chicks comprising the maestro-drummer, Tommy Fulford, Wayman Carver, Chauncey Haughton, Beverly Peer. For a quintet, very copisetic. Even London's swingin' it —**Ambrose** and his Orchestra give out with 'You've Got to Blow Your Own Trumpet' and Sid Phillips' 'Message from Mars.'

Smoother foxtrotology, also by way of London, is **Roy Fox's** 'For Only You,' a Ray Noble tune, paired with 'Water-Lilies in the Moonlight,' both waxed in England with **Denny Dennis** vocalizing. Bluebird 7529. **Guy Lombardo's** 'Little Lady Mak Believe' and 'So Little Time' ( ictor 25823) are characteristically smooth foxes, with Carmen on the vocals. Swing and Sway with **Sammy Kaye**, to give it the full billing, is likewise a refugee from a barrelhouse with 'Where Have We Met Before' and 'Cry, aby, Cry.' Charlie Wilson and the 3 arons ing the vocals on Vocalion 4044. **orace Heidt** and his Brigadiers give out with 'Let Me Whisper,' ick Gasparre's rhumba fox, an his Time It's eal,' on Brunswick 8121. **Larry Cotton** vocalizes. **Kay Kyser** is another singing-title maestro, 'Lost and Found' being coupled with 'Two Shadows' on Br. 8120. **Virginia Simms** and **Harry Babbit** split the vocals.

On Vocalion 3980 **Eddie Stone**, from England, does well with **De-Lange-Ram's** tune, 'Morocco,' a sort of 'Caravan' type of descriptive foxtrot. Companion piece is 'Burping Bassoon,' Stewart McKay's novel if inelegantly titled foxtrot.

**Leo Reisman** is ultra, per usual, on Victor 25804 with two smart rumbas, 'Mariachie' (Gus Kahn-Sigmund Romberg) out of Metro's new 'Girl of the Golden West,' paired with **'Para Vigo Me Voy,'** Ernesto **Lecuona's** current conga fave. **Reisman's** contrasting moods and shades in his orchestral style, fortified by his basically expert dansapation, whether it's a musical comedy excerpt or in the Latin groove, makes this a highlight waxing.

Of another iom, but likewise ultra in calibre, is **Duke Ellington's** version of his own 'Scrounch' from the new Cotton Club show, paired **with 'If You Were in My Place,' also** co-authored with Nemo-Mills. In both, **Ivy Anderson** vocalizes, and in both the distinguished Ellingtonian technique figures prominently. Brunswick 8093.

**Tino Rossi** on Columbia 4200 manifests why NBC got excited about the French tenor although it so happened that he, like Jean Sablon, didn't quite make the grade. Sablon, at least, is still lingering around Radio City, and continues to be a wonderment as to why he didn't click, as he merits. Anyway, Rossi has two excerpts in Neapolitan, 'Catari, Catari' (Cardillo) and the Neopolitan folk song, 'Santa Lucia,' with full orchestral accomp batoned by **Carlven.** 'Catari!' incidentally, sounds like a likely import for America, if not already done so.

### MAESTROS IN SHORTS

Hollywood, April 26.

Ted Fio Rito and Phil Harris have signed for a series of shorts to be produced by Bert Gilroy for RKO.

Leaders and their orchestras will go into the Headliner group, scheduled to roll in May.

## Haunted by Flames

incoln, April 26.

ire Insurance is becoming the thing uppermost in the mind of R. H. Pauley here. He lost the old Turnpike Casino in a $20,000 blaze last November. Recently he set a deal with the Blancato Bros., in Kaycee, for the Fairyland Park dance spot.

Was special deliveried this week with news that a park fire there had damaged his concession severely.

# Jitterbug Sesh For Auditions At Par, N. Y.

Those Thursday night jam sessions at the Broadway Paramount, started by Tommy Dorsey during his current engagement at this presentation house, has proved a great b.o. hypo and has become in short order (1) a jitterbug hangout, and (2) a sort of unofficial audition spot.

Chick Webb's solo drumming last Thursday, which was the second of the seri , got the attention of Harry Kalchei , the Paramount booker, who will probably spot this colored maestro-stickster with his band.

Kay Thompson was another who jammed the Dorseyites, with Martin Block doing the spieli and she, is penciled in for this house.

Jam session idea has done things for Bunny Berigan during his Paradise cabaret engagement, his being reserved for Sunday nights.

### Halstead's Okay Pinch-Hit

Lincoln, April 26.

Turnpike opening (16) rated $950 with Henry Halstead on the rostrum. Jack Denny was originally booked for the job, but CRA pulled him at the last minute.

Frederick ros., Kansas ity, grabbed Halstead off location in Louisville, Ky., put him in front of Allen Castle's band here, and got by the break in good shape.

# 15 Best Sheet Music Sellers

*eek ending April*

| | |
|---|---|
| Ti- i-Tin | Feist |
| *Heigh-Ho | Berlin |
| Please Be Kind | Harms |
| *Love Walked In | Chappell |
| *Good Night, Angel | Berlin |
| *On the Sentimental Si | Select |
| You're An Education | Remick |
| *How'd You Like to Love e? | Famous |
| * ld Apple Tree | Witmark |
| *I Love to Whistle | Robbins |
| *Always and Always | Feist |
| It's Wonderful | Robbins |
| †At a Perfume Counter | Donaldson |
| *Some Day My Prince Will Come | Berli |
| *Than for the emory | Paramount |

* *Indicates filmusical song.* † *Indicates stage production song. The others are pops.*

# On the Upbeat

**Henry Busse** will play for dance May 4 which will mark the close of a week's lebration of the opening of a new city auditorium in Great Bend, Kas.

**Lang Thompson** goes into New Penn, Pittsburgh, May 13 for two-week run. He'll be followed by Ina Ray Hutton. Both laced by Joe Hiller for CRA.

**Jack Marshard** to open illiam Penn hotel's Urban Roof, Pittsburgh, May 27. laced by MCA.

**ran Eichler** goes into Grey Wolf Tavern, Sharon, Pa., May 7 for four weeks. Set by CRA.

**erman Middleman** returns to Ni cafe, Pittsburgh, May 2 for the summer after 39-day Pan-American cruise.

**Eddy Duchin** Palmer House, Chicago,

**Jerry Livingston** plays Misericordia College, Wilkes-Barre, Pa., April 29; Edison hotel, N. Y., 30, and Princeton College, May 8.

tel, stint.

**Chuck Shanks** into tel, Detroit, May 2 for

**Joe Reichman** booked for Baker hotel, Dallas, Tex., starting May 10.

**Jack Lavin** personal reppi old Nagel band now.

**Bobby Hayes** plays for N. Y. U. freshmen at Barbizon-Plaza hotel, N. Y., May 8. Frances Foster booked.

**Freddy Goodman,** Benny's frere, rolled up $2,800 on his first road one-niter at Ocean Pier, Old Orchard, Me., April 23.

**al Hallett** plays for Playland, Rye Beach, N. Y.; NBC wir Opens June 10.

**Ruby Newman** plays for Joe Penner programs of May 1 and 8 from New York.

**Al Donahue** into Rainbow Roo N. Y., May 18 for R-O'K.

**rank Dailey** plays Million Dollar Pier, Atlantic City, N. J., July 9 to 15.

**Rockwell-O'Keefe** will book exclusively at Glen Island Casino, Larchmont, N. Y.; Playland, Rye, N. Y.; Claremont Inn, N. Y. C.; Million Dollar Pi , Atlantic City, N. J.; Ocean Pier, Wildwood, N. J.; Dupont hotel, Wilmington, Del.; Netherland-Plaza hotel, Cincinnati, Book-Cadillac hotel, Detroit; Congress hotel, Chicago; Van Cleve hotel, Dayton; Adolphus hotel, Dallas; Nicolette hotel, inneapolis; Roosevelt hotel, New Orleans, and hotels New Yorker, Lexington, Belmont-Plaza and Rainbow Room, N. Y., for summer.

**Jimmy Livingstone** at Charlotte hotel, Charlotte, N. Y. Jack Crawley vocalizing.

**Hod Williams** one-nighting the Southern territory for Jack Wardlaw.

**Dave Burnside** has taken over Frankie Reynolds band after being idle for a while. Centering in Columbi , S. C. Reynolds also has a new crew.

**Penn ayne's** band signed for summer at Bluff House, Milford, Pa. Gene Gaudette set. ir via WOR, N. Y.

**Jay Whidden** moved into Cafe De Paree, Los Angeles.

**Spud Murphy's** orchestra is making its Decca recording debut with arrangements of 'Transcontinental,' 'My Little Girl,' 'Dancing ith a Debutante, 'Cherokee,' uaker City Jazz' nd 'Ecstasy.'

**Benny Goodman** plays Savoy Ballroom N. Y., May 10, for Moe Gale.

**Dusty Roades** booked by Gus Edwards for the Edgewater Beach hotel, Chicago, opening May 28 after exit in Schroeder hotel, Minneapolis.

**Clyde McCoy** plays Elitch's Gardens, Denver, June 27. For three weeks preceding date he headquarters at the Claridge hotel, emphis.

# Breakdown of Network Plugs, 8 A. M. to 1 A. M.

*Following is an analysis of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (April 18-24). Grand total represents accumulated performances on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. 'Commercials' refers to all types plugs on sponsored programs. In 'Source' column, * denotes film song, † legit tunes, and 'pop' speaks for itself.*

| itle | Publisher | Grand Total | Commercials | Vocals |
|---|---|---|---|---|
| Please Be Kind | Harms | 48 | 11 | 37 |
| How'd You Like to Love ? | Famous | 43 | 10 | 27 |
| You're An Education | Remick | 42 | 11 | 30 |
| Ti-Pi-Tin | Feist | 42 | 11 | 28 |
| One Song | Berli | 36 | 10 | 18 |
| Sunday in the Park | Mills | 38 | 4 | 17 |
| You Couldn't Be Cuter | Chappell | 36 | 6 | 14 |
| On the Sentimental Side | Select | 35 | 9 | 27 |
| Cry, Baby, Cry | Shapiro | 32 | 8 | 21 |
| I Fall in Love with You Every Day | Famous | 32 | 8 | 18 |
| Let's Sail to Dreamland | Spier | 31 | 4 | 21 |
| I Love to histle | Robbins | 31 | 10 | 18 |
| It's Wonderful | Robbi | 31 | 9 | 18 |
| In My Little Red Book | Marks | 31 | 2 | 18 |
| Joseph, Joseph | Harms | 30 | 4 | 15 |
| Don't Be That Way | Robbins | 30 | 1 | 8 |
| Bewildered | Miller | 29 | 4 | 27 |
| Good Night, Angel | Berlin | 28 | 5 | 20 |
| Love Walked In | Chappell | 28 | 8 | 14 |
| Heigh-Ho | Berlin | 28 | 8 | 13 |
| At a Perfume Counter | Donaldson | 26 | 4 | 18 |
| Something Tells Me | Witmark | 26 | 3 | 18 |
| Who Are We to Say? | Feist | 25 | 2 | 7 |
| Always and Always | Feist | 23 | 4 | 14 |
| Two Bouquets | Shapir | 22 | 2 | 18 |
| Whistle While You Work | Berlin | 22 | 5 | 13 |
| Gypsy in My Soul | Words-Music | 22 | 6 | 10 |
| Toy Trumpet | Circle | 21 | 3 | 0 |
| Garden in Granada | Schuster- | 20 | 1 | 11 |
| So Little Time | Shapiro | 19 | 2 | 11 |
| Dipsy Doodle | Lincoln | 19 | 6 | 10 |
| I Can Dream, Can't I? | Marlo | 18 | 4 | 17 |
| In the Shade of the New Apple Tree | Chappell | 18 | 2 | 13 |
| More Than Ever | Miller | 18 | 5 | 11 |
| I Simply Adore You | Ager-Yellen | 18 | 3 | 11 |
| Moon of Manakoora | Kalmar-Ruby | 18 | 2 | 7 |
| This Time It's Real | Spier | 17 | 3 | 10 |
| Thanks for the Memory | Paramount | 17 | 3 | 10 |
| I See Your Face Before Me | Crawford | 16 | 2 | 13 |
| I Can't Face the Music | Remick | 15 | 1 | 9 |
| You Leave Me Breathless | Famous | 15 | 1 | 8 |
| My Heart Is Taking Lessons | Select | 15 | 3 | 7 |
| Just Let Me Look at You | Chappell | 15 | 1 | 7 |
| How Can You Forget? | Harms | 15 | 0 | 7 |
| Loch Lomond | Robbins | 14 | 1 | 11 |
| Lovelight in the Starlight | Paramount | 14 | 3 | 9 |
| Swingin' in the Corn | Berlin | 14 | 3 | 9 |
| Let Me Whisper | Chappell | 14 | 1 | 9 |
| Two Shadows | Witmark | 14 | 1 | 9 |
| Girl in the Bonnet of | Crawfor | 14 | 1 | 7 |
| Little Lady Make Beli | Olman | 14 | 2 | 6 |
| Love Is Here to Stay | Chappell | 13 | 3 | 9 |
| Where Have We Met ? | Robbins | 13 | 0 | 7 |
| I Double Dare You | Shapiro | 13 | 2 | 6 |
| I Was Doing All Right | Chappell | 13 | 1 | 6 |
| Sissy | Witmark | 13 | 0 | 4 |
| Coffee and Kisses | Paramou | 12 | 1 | 9 |
| Shadows on the Moon | Feist | 12 | 1 | 7 |
| Sweet as a Song | Robbi | 11 | 2 | 10 |
| There's Gold Mi | Berlin | 11 | | 9 |
| It's the Dreamer in | Feist | 11 | | 8 |
| Romance in the Dark | Paramount | 11 | | |
| I'm in a Happy Frame of Min | Mills | 11 | | |
| Sto, nd Reconsider | | 10 | | |

# Film Producers Join ERPI in Defense Of Foreign Performances Claims

Counsel for major fil ucers have aligned themselves with Electrical Research Products, Inc., in defense of the $120,000 suit against ich is slated to go to trial tomorrow (Thursday) before Judge John Knox i the Federal court. Action, involving a number of fine in copyright law, was brought umber of standard publishers under the foreign licensing agreement which ERPI maintained with the music industry between 1928 and 1932.

Publisher group claims that it is entitled to synchronization fees for works recorded on soundtracks in this country and shipped abroad as part of the complete film, regardless of whether such musical works were copyrighted in foreign countries as well as the United States. ERPI holds that these publishers have nothing coming unless they can prove that they had valid copyrights in every country wher the soundtracked film was exhi ited.

In pressi the publisher group's claim their counsel, Francis Gilbert, has set up the theory that they do not have to prove foreign copyright since the recordings were made for showing i the United States and Canada and the supplementary - tract stipulated that if they were used elsewhere the licensee was obligated to pay an extra fee as based on an explicit set of base rates. Right to record with American artists for foreign reproduction would not have been grant ilbert argues, if the American copyright owners had not been assured of this extra compensati

Gilbert scored last week against Metro when the producer's counsel, Julian T. Abeles, sought to have Judge Knox order Gilbert to furnish a new bill of particulars. Metro and the other major picture firms recently entered the case after receiving notice from ERPI that if the pubs succeeded in getting judgment against it the sub-licensees would be held liable for the payment of the judgment. Gilbert reminded Judge Knox that the court had passed on the questions of law involved in the case some time ago and held that the publishers had a good cause of action.

After pointing out that Abeles' petition constituted nothing but an attempt to argue these same questions of law all over again, Gilbert moved that Abeles' plea for a bill of par iculars be dismissed. Motion was granted and the date of trial set.

## An Easy Guess

Harry Thomas, distributor of the Balinese lm, 'Wajan,' showing currently at the Gaiety, N. Y., inquired of a music publisher Monday (25) where he could get a couple writers to do a theme song for the picture titled 'Son of a Witch.' Latter, he explained, is the English translation for the word 'Wajan.'

Thomas was told that even if he could induce anybody to write a themer his exploitation idea would be frustrated since it was very doubtful whether any network or station would take a chance on the clear reception of the title.

## Nola Firm Sets Up Shop

Nola Arndt, rge Wiener and Oscar Malanga last week entered the publishing business under the name of Nola Music Publications. First named in the partnership is the widow of Felix Arndt, who wrote 'Nola,' while Malanga is a composer.

Firm's initial publication is 'Mia Cara,' co-authored by Mrs. Arndt and Malanga.

## HANS GEIRINGER TO COME TO U.S.

Paris, April 16.

Hans iringer, secretary of the Austrian society of composers and authors, was let out of the post he long occupied 48 hours after the anschluss. Not an Aryan.

Geiringer has been headquartering here for many years, as fiscal agent for the Viennese songwriters group, and collections were made here by him, so that a legal action he has filed against the Austrian corporation, under his contract, may be enforc in the French courts.

Geiringer will probably go to America shortly and seek U.S. citizenship. His contacts are international.

## *Music Notes*

ax **Steiner**, writing an original score for Warners 'Crime School' trailer. He also scored the picture.

**Walter** ullock and Harold Spina cleffed nine tunes for Shirley Temple's 'Lucky Penny.' They are 'I Feel Like the Blossoms in Spring,' 'Happy Little Ditty,' 'I'll Always Be Lucky With You,' 'In 1939,' 'I Love to Walk In the Rain,' 'London Bridge Is Falling Down,' 'I'm Not Myself Today,' 'Mops and Pails' and 'Brass Buttons and Epaulets.'

**Gene** **aymond** has written words and music for a new song, he Alligator Swing.'

**oswell** collaborated with Peter inturin and Jack Lawrence on 'Away From It All.'

**Mack Gordon** and Harry Revel turned in 'Could You Pass in Love?' 'That All-American Swing,' 'This May Be the Night,' 'By a Wishing Well' and 'I've Got a Date With a Dream' for Sonja Henie's new 20th-Fox starrer, 'My Lucky Star.'

**Phil Ohman** and Foster Carling's as a package job the complete musical score to Universal for Deanna Dur in's next starrer, 'Cinderella.' Ohman cleffed, Carlin the lyrics.

**Lew Porter** sold his 'Marriage of Jack and Jill' number to Jed Buell for use in 'Terror of Tiny own.'

**Milton Weil** music firm, Chicago, ublishing two new numbers, 'To Nnt to Swing' by Benny Weems and Doug Craig, etcha' by Harry Kogan, raig and Ted Claire.

## PAUL WHITEMAN'S ON AIR FROM N. Y. FAIR

Paul an's swing wing of nine will give out Friday (29) for Grover Whalen and the Social Register. Preview Ball at the N. Y. World's Fair is the occasion. Same night as Whiteman's commercial for Chesterfield over CBS.

Whiteman will be on the air three times that night, all from the World's Fair site.

## Old or New System?

Publisher members of the American Society of Composers, Authors nd Publishers will be given an opportunity to decide whether they want to return to the old system of royalty allocation at a general meeting which is slated to be held at the Astor hotel tomorrow ing (Thursday).

Gene Buck, ASCAP prez, will reside and lead off the discussion with some thoughts of his own on the subject.

## M.P.P.A.'s 64 Members

wo more firms hav become mem rs of the Music Publishers Protective Association. They are Larry Spier, Inc., and Green Bros. Knight.

Membership roll now adds u

**Moe Jerome** and Jack Scholl contributed three numbers to Warners 'Ca us Cinderella.'

## REGISTERED MAIL NOTICES TO PUBS

Robbi usic Corp. notified pop publishers generally last week by registered letter that it has Adrian Rollini under exclusive writing contract and warne them against doing anything that would inv is right.

Abe Olman, gen. mgr. for Robbins, explained that publishers by being put on notice are barred from entering an 'I-did-not-know' defense in the event of a suit for interference of contract.

## LONDON'S BANDS PLAN ANNUAL EXODUS

itery and urant bands are already planning ir annu exodus from the West nd during the off-season months, from late June till early September.

Jack Harris ses Ciro's for two months, goes to Cannes and Monte Carlo, where Ambros, of the Cafe de Pari ill follow hi Carroll Gibbons, of the Savoy hotel, will play a few weeks vaudeville, and his usual month at Deauville. Joe Jackson, of the Dorchester hotel, puts in five weeks for indies, at the rate of $2,250 per week. Sunday concert and two dancehall sessions will be thrown in, bringing his weekly stipend to well over $3,000.

Of the smaller bands, Joe Loss tours vaudeville for seven weeks, mostly for GTC and Moss Empires at $1,500 per week. Harry Davidson and his Commodore band, a radio name, has been signed by the Lowestoft Corp. at $1,500 per for a 10-piece aggregation, which is biggest money ever paid there. Bran Martin, Holborn restaurant, has three months vaudeville bookings at $1,250 for 18 men. Lou Prager has landed a contract at Scarborough, the ritzy north of England spa, getting $1,250 for a 14-men aggregation.

## NEW GLOSS FOR OLD ONES, ROBBINS' TACTIC

s part of Jack Robbins' general hypoing of the three music firms under his direction, he's goi into old-school exploitation and material-hu ing methods. Fertile Feist and Miller Music (nee Sherman-Clay) catalogs have a flock of standards which are being refurbished with swing arran ments and other 1938 didoes.

'Diane,' ispering,' 'Char ,' 'Dainty Miss,' 'Rag Doll,' ree o'Clock in the Morni ,' et al., are getting either Galla-Rini, Larry Clinton, Adrian Rollini swing or other instrumental arrangements.

## Songwriters May Demand Scrutiny Of M.P.P.A. Books in Court Move

Counsel for the Songwriters tective Association will await outcome of the music industry's strategy before Justi rdinand Pecora in the N. Y. supreme court before launching a counter-attack that is expected to bring the controversy between the two camps to a bitter climax. SPA, it is understood, proposes to obtain a court order which will compel the Music Publishers Protective Association to turn over to the former organization the records of all pay ents made by the MPPA's licensing bureau to publishers for synchronization and transcription rights uring the past several years.

SPA counsel will argu its writer members are entitled these records so that they can compare the amounts paid to their publishers with the accountings made to them by the publishers. is ass production of records by court order would be without precedent in the music ing industry. hile the writers are entitled to an audit of their individual publishers' books ther is nothing in the old standard contract form which make the books of the MPPA's license bureau likewise accessible.

Motion coming up today (Wed.) before Justice Pecora seeks to have two actions brought against Mills Music, Inc., dismissed on the ground that they lack sufficient cause for litigation. Through these suits the SPA hopes to have the courts uphold the association's claim to the administrative rights of the mechanical rights stemming from the copyrights of works created by SPA members. Publishers' refusal to concede this principle resulted in the blowing up several months ago of negotiations for a new uniform writers' contract. The test suits against ills were filed shortly after the negotiations ended an substantial number of SPA submitted thei atio

## Bernstein-Bregman Deny Report Of D.D.&G. Takeover; Much Buzz In Wake of M.P.P.A. Control Move

Settlement of Chester Cohn's contract as professional mgr. of Leo Feist, Inc., last week was followed by a report that Cohn and Jack Bregman, gen. mgr. of same firm, were working with Louis Bernstein, head of Shapiro, Bernstein & Co., on a deal to take over Donaldson, Douglas & Gumble. Bernstein denied Monday (25) that he had even discussed such alliance. Also that he had agreed to co-finance any publishing venture that Cohn or reg man might undertake. Similar denial came from Bregman, who continues as g.m. of the Feist firm.

ale of Donaldson, Douglas Gumble became a topic of much discussion in the trade after the new board of the Music Publishers Protective Association had agreed to name Walter Douglas, , D & G prez as the paid chairman of the MPPA as soon as he has dispos of his publishing interests. Others cited as being disposed to obtaining control of the Donaldson catalog, ich has a rating of 200 availability points in the American Society of Composers, Authors and Publishers, were Saul Bornstei , of Irving Berlin, Inc., and Max Dreyfus, who opera Chappell & Co., Crawford Musi Corp., and the Marlo Music Co. Douglas' salary as chairman of the MPPA directorate would be around $20,000. Promised assignment and salary brought murmurs of revolt from such publishers as Lou Diamond, E. B. Marks and Sam Fox, but up to Monday (25) none had carried the opposition to the resignati stage. Jack Robbins stated he was going to pull out of the MPPA.

Cohn, rated as one of the best-known professional men in the business, had been with Feist for over 15 years. His contract, givi him $3 a week, had until October, 1938, to go. The settlement was proposed and executed by Jack Robbins. Cohn's settlement figure reported at around 35% of the contract value, effected through the Robbins-Metro lawyer, Julian T. Abeles.

### Interlocking

eanwhile, question is bei asked in the trade whether the musi publishing industry hasn't agai stuck out its neck by returning the control of the Music Publishers Protective Association to the same coterie which prevailed prior to the trial of the federal government's anti-trust action in 1935. Of the nine new electees to the MPPA's board of directors, seven are also members of both the directorate of the American Society of Composers, Authors and Publishers and the latter's availability committee.

Interlocking directors declare that it was necessary that they take over the direction of the MPPA in order that important trade matters be carried out by the association. They also defend their return to the old status by recalling that the presiding judge at the trial had remarked that it was not usual in the business world to find certain important figures of an industry associated with the leadership of various associations representing that industry. Government in its complaint had made uch of the interlocking directorates as reflected by the official rosters of ASCAP and the MPPA.

Publishers who are members of all ree lineups are ax Dreyfus, Saul Bornstein, Louis ernstein, Walter Douglas, Jack Bregman, Gustave Schirmer and Walter Fischer.

## They'll Be Ready

Hollywood, April 26.

than 200 members of the usicians Mutual rotective association, paid from the union's contingent fund, are rehearsing for the opening of summer dance spots, concerts and radio programs.

Six dance bands, two concert orchestras and two brass bands ar holding regular tune-ups under va ous leaders to be ready for possi engagements. Plan is in line wit the one adopted by Jack Tenney, president, to place more union members on payrolls.

## Douglas' Operation

Walter Douglas, head of Donaldson, Douglas & Gumble, was operated on for gallstones and gall bladder at St. Luke's hospital, N. Y., yesterday day).

Attending surgeon reported the operation a success.

## Mills' 'Daughter of Mlle.'

Publication of 'The Daughter of Madamoiselle,' from 20th Century-Fox's 'Battle of Broadway,' has been turned over to Mills Music, Inc.

This same firm published the war hit, 'Hinky Dinky, Parlez Vous,' which incorporated some of the pu lic domain number, ' adamoiselle from Armentieres.'

## CROSBY KEY TO PUB MERGE

Details of the merger of Santly Bros.-Joy, Inc., and Select Music, Inc., and the stock allocation stemming from the new corporate setup were worked out at a meeting Monday (25). Propostion provides for the withdrawal of Rockwell-O'Keefe, Inc., from the publishing combine and the inclusion of ing Crosby as one of the three partners. Reorganization ill be given the final legal going-over as soon as Crosby's approval has been obtained, which yesterday (Tuesday) looked quite certain. Latter was represented at Monday's meeting by his brother, Larry.

Under the previous arrangement Crosby's only interest in the publishing combine was the 25% he held in Select. As a result of the consolidation Crosby will be in on everything to the amount of 20%, with the balance split equally between Lester Santly and Georgie Joy. Latter two will personally buy out Rockwell-O'Keefe's share of S-B-J and Select. New enterprise will be named Santly-Joy-Select, Inc.

Select was originally founded by R-O'K and Crosby. The Select catalog became part of the Santly setup about two and a half years ago, with Rockwell-O'Keefe also investing substantially in the general reorganization.

### Stool, Grant Join Harms

Jesse Stool and Gene Grant have joined the New York professional staff of Harms, Inc.

Grant had been brought in from the firm's Chicago office, while Stool comes from Shapiro, Bernstein & Co.

★ ★ ★ ★ FIVE - STAR SONG SPECIALS ★ ★ ★ ★ ★

The New Ballad Fox Trot
MOONSHINE OVER KENTUCKY
By Pollack and Mitchell
rom the 20th Century-Fox Production
"KENTUCKY MOONSHINE"

New Sensational Novelty Hit
I LOVE TO WHISTLE
By McHugh and Adamson
rom the New Universal Production
"MAD ABOUT MUSIC"

Radio's New Rhythm Pace Setter
AS LONG AS WE'RE TOGETHER
By Cliff Friend and Dave Franklin

The Smash Hit of the Season
DON'T BE THAT WAY
By Benny Goodman, Edgar Sampson and Mitchell Parish

A Coast-to-Coast Hit
IT'S WONDERFUL
By Stuff Smith and Mitchell Parish

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# WHITEMAN-CRA BREAK LOOMS

Break is imminent between Paul Whiteman and Consolidated Radio Artists. Maestro has powwowed with his lawyers and has also confabbed with the union, it is stated, regarding the possibilities of getting out of his CRA agreement.

CRA has nothing to say on the matter. Pass the buck to Whiteman, who has the peeve. Latter is also soft-pedaling the fact that there are differences to be ironed out. Understood CRA's failure to do much with the band has nettled Whiteman, who recently secured the Chesterfield program himself. CRA has been tossing him some oneniters.

Cleveland, April 26.

Entire Cleveland Symph is being added to Paul Whiteman's orchestra, totaling 150 pieces, which Whiteman will conduct in a benefit concert at civic hall here May 2. Affair is staged by the Cleveland Press, first to drum up funds for free park band concerts this summer.

Wayne King's and Gene Krupa's orchestras are coming in for a three-hour session of swing after the two-hour concert, King to double from RKO Palace here. Stunt was promoted by Charlie Schneider, who recruited 14 local bands to put on free shows on public square every day.

## St. Louis Stunt Climaxes With Tommy Dorsey Date

St. Louis, April 26.

KWK and Fanchon & Marco's 5,000 seater Fox Theatre have a ti in in a search for the outstanding entertainer, professional or amateur, in town. Auditions are held once each week at the theatre and the best at each audition, in the judgment of Gene Kemper for the station and Les Kaufman for the theatre, gets a chance on the air the following p.m.

Finalist will get a week's engagement when Tommy Dorsey and his band play the theatre starting May 20 and also some more work at several of the St. Louis Amusement Co.'s nabes which are operated under the direction of F&M.

## TWO 'ORIGINALS'

**Eddie Edwards Has One—LaRocca-Robinson the Other**

There are two ' riginal' Dixieland Jazz Bands now in existence. One of 'em, headed by Eddie Edwards, who is of the original Dixielanders, is touring the South.

Nick LaRocca and J. Russel Robinson, other original members of the Dixieland Band, have their own recording combo around New York.

## Nazarro Sues Moe Gale

Suit for $1,541 was filed in New York Supreme Court April 21 against Moe Gale by Nat Nazarro for unpaid-unplayed contracted balance of a combo dance-vaude tour by Chick Webb, Berry Bros. and Buck and Bubbles.

Gale, manager of Webb, contracted for others to accompany band on a tour booked by Consolidated Radio Artists last December. Group was to play Shrine audies throughout Michigan but pressure forced cancellation. I. Robert Broder, counsel for Nazarro, seeks payment on balance of promised work. Berry Bros. and Buck and Bubbles received some hit-and-miss employment but not full amount, it is charged.

## Duke Ellington's Op

Duke Ellington will undergo a hernia operation on quitting the Cotton Club early in June. Ailment is a recurrent one, having troubled him couple of years ago also.

After convalescing he and is band will take to road for theatre and dance dates and possibly go to Rio de Janeiro for King Wallace. Asking $10,000 weekly. That's what's holding up deal for combo theatre-casino-radio work in S. A. Deal also on for N. Y. Paramount theatre fortnight.

### Krupa in White Plains

Gene Krupa orchestra plays its first date in the New York area this Friday (29), when it does a one-nighter at the Community Center, White Plains.

Center will have a name band policy throughout the summer.

# GRENET SUES CLUB YUMURI FOR $5,000

Eliseo Grenet, orchestra leader at the Club Yumuri, thinks he was entitled to share in the yearly net take of the club, and on Thursday (21) filed suit for $5,000 against the nitery. Grenet avers the club signed him up to conduct the orchestra at a salary of $70 per week. Besides, he says, the management promised him 10% of the profits for the year.

He was paid his salary regularly but, he claims, the club reneged on the profits which he estimates at over $50,000.

Since then the Yumuri has become the Club El Bongo, under new management.

## PITT'S NAME BANDS

**Four in a Row—Wayne ing, After Three Years**

Pittsburgh, April 26.

Stanley, WB deluxer, going on a strict name band diet for the next month or so. Starting Friday (29) with Cab Calloway, house will have four of them in a row, with Wayne King, Guy Lombardo and Abe Lyman following. For King, it's the fulfillment at long last of a contract he signed with Stanley almost three years ago and postponed at least half a dozen times.

Nothing so far set beyond week of May 20, although Benny Goodman has been hooked back for a return engagement some time in July. Harry Kalmine, zone manager for WB here, has abandoned negotiations with Mae West for a personal here. Couldn't see eye to eye with the lady's 50% from the first buck demands.

## Vincent Lopez Plans Revival of Casa, N. Y.

Vincent Lopez, inspired anew by the Latin vogue around New York, is closing a deal for a revival of his Casa Lopez on Broadway for fall opening. Lopez plans a supplementary 'beachcombers bar' downstairs for the al fresco trade. More than a decade ago Lopez and Gene Geiger's Casa Lopez was a Broadway landmark.

Meantime Lopez opens ay 1 at the Casa Manana with the new Billy Rose variety show policy, replacing the present show.

Incomers in that lineup are Lou Holtz, Helen Morgan, Harriet Hoctor, Georgie Tapps, Paul Sydell and Spotty, Allen and Kent, the Rose's 'Small Time Cavalcade' of old-time fire-eaters, Swiss bellringers, jugglers, etc. Idea is for a fortnightly change. Abe Lyman, present band, closed yesterday (Tuesday).

## Taps Referred to A.F.M.

Executive board hearing on Taps vs. Paul Small and William Morris office for unfair dealing on a band booking of Panchito was referred to the national board of the American Federation of Musicians last Thursday (21).

Taps, band's manager, was instructed to prefer charges against the band with the N. Y. Local 802 for unfair dealing and to take the Morris office before the National since deal was made out of town. Morris office booked band for Versailles, N. Y., over Taps' head, who allegedly started negotiations but cut Morris in for other considerations. Panchito is due to open June 1 at the Versailles.

## Calloway Off List-Cut

Richmond, Va., April 26.

WRVA pick-up of Cab Calloway's outfit, playing one-nighter at Mosque last week, ended by station at end of second number. Went into a number not on the originally approved list—and the station wasn't taking any chances on a copyright squabble. Filled in with chain program.

Calloway was brought into the Richmond Mosque for a one-nighter by Reese DuPree, Philadelphia dance hall owner. Welcomed by about 2,000 payees. $1.10 fee.

## BUDDY ROGERS' BIG BIZ

Mason City, Ia., April 26.

Buddy Rogers, first name band to hit the Surf Ballroom this season, aired half hour on KGLO. At the ballroom nearly 2,000 piled gross of around $1,500. Highest spring gross ever recorded at the Surf. Ballroom draws its patrons chiefly from the adjoining territory. Hoofers come 80-90 miles in every direction, particularly for the name bands.

## In the Groove

**Exclusive Publications, Inc.,** is turning out a 'Swingtette' series of orchestrations for seven-piece bands.

Scorings taken from phonograph records made by Fats Waller, Duke Ellington, Buster Bailey, Rex Stewart, Benny Carter and others.

**Lustig Ad agency** of Cleveland has new script labeled 'Swing News Session.' Layout is weekly quarter-hour of news items on orchs and personalities associated with swing music.

Offering idea to stations and agencies, with merchandising angles. Scripts are patterned for insertion of live or wax music.

## 1 Cafe Closes, 2 Open In Philly; Biz 25% Off

Philadelphi , April 26.

Nitery biz here, estimated to be off 25% from same time last year, was marked during past week by shuttering of one club and opening of two others. Lights out was for Benny Street's '1214.' Two new entries are Mayfair Farms and Club Esquire.

Former is being opened Thursday (28) by Mickey Alpert and Mario Villani. Initial bill will feature either Aunt Jemima or Gloria Grafton.

## Nan Blackstone Okay; Casino Delay, London

London, April 26.

Nan Blackstone opened at the Café de Paris Tuesday (19), doubling from the Paradise Club. Did a quick reverse and scored after bad opening. Preem was off due to sour choice of songs. She changed her entire routine the following night and scored heavily. Will stay a fortnight, with options for the month of June. Likely to be taken up.

After day and night rehearsals, London Casino show, skedded for tonight (Tuesday) was postponed until tomorrow (Thursday).

**Cab Calloway** still one-nighting and theatring for ills in midwest.

# JOE CANDULLO CASE SETTLED

Abe Lyman and Billy Rose agreed with Local 802, American Federation of Musicians, to settle a $360 item involving Joe Candullo's band, for alleged overtime, by splitting it three ways. William Morris agency, at Lyman's suggestion, would waive its commission for a week as a means of squaring a technical tiff due to irregular working hours involving the Candullo orchestra for which Lyman felt morally responsible, since he sponsored bookin into the Casa Manana, New York, although Lyman denies he was the musical contractor for the Billy Rose nitery.

Candullo and Lyman's band alternate, the latter eing payrolled at $2,000 a week. Candullo's men worked originally at a $66 scale, but were later upped to $80, when their schedule of working hours got to the attention of the union.

Willie Feinberg of 802 characterized it as an 'honest mistake,' but when a union rep tried to get together later with Billy Rose, to readjust matters, the latter was tied up in court on the Fannie Brice-Edgar Allen lawsuit and another two and one-half weeks elapsed before an adjustment was worked out.

Lyman avers that Rose's crack to the union that he (Lyman) ought to work things out since he gets $2,000 a week held no force with the union, since he has always been accustomed to fancy income for his band. Furthermore, says Lyman, he personally defrayed $272 weekly line charges for two CBS broadcasts weekly fro the Casa, and that he also personally expended from $100 to $300 for gifts to artists who obliged Lyman by appearing at the Sunday night guester sessions. Lyman closed Monday (25) at the Casa, opening May 6 at the Earle, Philadelphia, on the first leg of a vaudfilm tour.

### Hughie Barrett's Spot

Tavern-on-the-Green in Central Park, New York, reopens April 30. Hughie Barrett orchestra is agai back on the Tavern's terrace.

Fourth Annual Theatre Party

PROFESSIONAL MUSIC MEN, Inc.

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# BIG BUSINESS, ORCHESTRAS

## Rival Orchestras Rife with Feeling

### M.C.A. Has Plenty of Occasions for Tact—Latest Office Vendetta Concern Dorsey, Goodman

Diplomat role which Music Corp. of America must play between its ranking bands is being seriously taxed with a blooming Benny Goodman-Tommy Dorsey feud. Booking mother is forced to cuddle, cajole, cater and avert meetings. Causes of these tiffs are various. Name similarities, style 'piracy,' general competitive situations of equally rated crews, talent raiding, spiking, etc., are frequent ones. Partly true of other big booking offices where there is temperament and jealousies but particularly true of MCA.

Having weathered l'affaire Guy Lombardo-Jan Garber and still in the throes of the Kay Kyser-Sammy Kaye battle of grimaces, MCA is now faced with difficulty of appeasing its two top names, Dorsey and Goodman. Denied to be publicity stunt.

Dorsey is piqued in E-flat because of Goodman's alleged attempted raids on Dorsey lineup. He is also burned over reports of Goodman's refusing to precede or succeed him on dates, location and otherwise, demanding improvements over Dorsey's take.

Situation has and is causing Dorsey plenty of headaches with his personnel, it is reported.

## OLSEN'S ROADHOUSE

### Ethel Shutta Back with Band This Summer—Olsen Joins Decca

George Olsen is recording for Decca under a new pact signed with Jack Kapp. Olsen was last a Victor artist, but he gets a choicer selection of tunes with Decca.

Maestro will reunite with his wife, Ethel Shutta, this summer for a Long Island roadhouse engagement. Currently, Miss Shutta is touring the Hilz hotels solo and Olsen is on the air for Royal Crown Cola, in between co-managing the International Casino, of which he's part owner.

## Bee-u-ti-ful

San Francisco, April 26.

Darrell Donnell, Examiner radio editor, is leading a comedy crusade to subsidize just one (1) dance band announcer who will not introduce 'beautiful' music from a 'beautiful' room overlooking a 'beautiful' square and played by a 'jovial' maestro.

Donnell, drowned by adjectives after a steady Saturday night's dialing.

## HOOFING OFF THE WAX; TELEGRAPHING A PLUG

Arthur Murray has si ed with Brunswick for a series of freak combo dance instruction-musical recordings. Idea is to platter various types of dance music on one side of the disc, with Murray's oral instruction to musical timing on the other.

Murray has designed a new hop, based on the song, 'Hippa-Hoo,' by Anna Case Mackay, which was used by Postal Telegraph Co. to relay Easter greetings. New jig will retain song's title.

## Krupa's a Corporation

Albany, N. Y., April 26.

Gene Krupa, Inc., has been chartered by Secretary of State to conduct a theatrical business, with a capital stock of 200 shares, no par value. Harry J. Gluskin, attorney in the incorporation proceedings.

Directors of corporation are Irving E. Chezar, Gladys Wintner and Mildred Sharfstein.

## OFFICE IN HAT THING OF PAST

### Leading Orchestras Have Own Staffs to Handle Booking, Accounts, Publicity and Similar Affairs —Others Have Special Agency Representation—Similar Radio Setups

### NAME SHORTAGE

A modern dance orchestra is an organized business corporation with officers, department, auditors and files. It's a long skip from the old-time leader who kept the upper left compartment of the top dresser in his trunk for contracts and unanswered mail.

There are a couple of major exceptions to the corporation set-up which usually revolves around a personal general manager and a tie-in with one of the band booking offices that deduct commish. But survey points to 30 of country's ace crews as in that classification. Omnipresent shortage of namers strengthens happy combo of both booking office, without which bands cannot exist, and the personal touch which is increasingly needed.

All of following have booking agreements which call for refusal or acceptance and other qualifications on dates to suit band or its management. Listing includes such names as Rudy Vallee, Paul Whiteman and Fred Waring (three richest and oldest); Clyde McCoy, Clyde Lucas, Fats Waller, Russ Morgan, Emil Coleman, Richard Himber, Abe Lyman, Andy Kirk, Louis Armstrong, Mal Hallett, Jimmy Lunceford, Ben Bernie, Horace Heidt, Will Osborne, Duke Ellington, Cab Calloway, and until recently Ina Ray Hutton and Lucky Millinder from same office; Sammy Kaye, Tommy Dorsey, Bunny Berigan, Hal Kemp, Glen Gray's Casa Loma, Chick Webb, Ozzie Nelson, Fletcher Henderson, Earl Hines, Leo Reisman, Don Bestor, Henry Busse, Eddie Duchin, George Hall, Kay Kyser, Bob Crosby, and until recently Vincent Lopez. All have lasted and still high.

There is another category of those who have special representation and consideration within the booking office via connection or control of an officer or individual booker a la Benny Goodman, until recently Ted Lewis, Count Basie, et al., who have an edge via inside office connections. Also to be included in success listing and having own setups are radio bands Peter Van Steeden, Al Goodman, Victor Young and George Stoll, all of whom operate on own office basis.

If booker does not control and cannot dictate to bands, latter thus holds life in its own mitts via personal selection of arrangers, personnel and song selections to be played (important to band building). They are also freer from talent raids, office farming practices of lifting men from small groups to build better established crews and less subject to brushoffs.

One of more important items is fact that leaders can stick to their stick and music and thus improve selves since biz matters are in hands of another. Latter bickers over dough and dates, union squabbles, keeps tabs on values and generally

(Continued on page 54)

## William Morris Deal Well Advanced For 50% of Rockwell-O'Keefe Firm

William Morris office last week reopened discussions with Rockwell-O'Keefe, Inc., for the purchase of a major portion of the latter organization's stock. Thing has reached the stage where the R-O'K books have been made available to the William Morris' auditor for perusal. Morris office's primary interest is the entry that a stock alliance with R-O'K will give it into the dance band business, which the former has been trying to crack for the past few months.

Figure quoted to the Morris office for a 50% interest is $200,000. Remainder of the stock would be split up among Thomas J. Rockwell, F. C. (Corky) O'Keefe and Mike Nidorf, the three of whom constitute the present R-O'K partnership.

## Ellington's Party

Duke Ellington being feted at a birthday party Friday aft (29) at the Cotton Club, New York. Strictly for the press.

Part of the function will be a special shortwave broadcast to England by Ellington at 4-4:30 that afternoon.

## SAVOY BALLROOM, CHI., OPENS; BRYANT ORCH

Joe Glaser, of Rockwell-O'Keefe, reopens the Savoy ballroom, Chicago, tomorrow (Thursday) with the Willie Bryant band. Spot will operate four days weekly (Thursday to Sunday inclusive) and attempt same mixed color stuff as Moe Gale's Harlem, N. Y., enterprise. Refurbishing reported to have cost $50,000.

Helen Oakley left New York earlier in the week to prepare preem. Chick Webb was first considered for the date, but couldn't make it. Spot will have a CBS wire.

## Kemp, Goodman Set For Steel Pier July 4

Steel Pier, Atlantic City, will use four name bands on its show for Fourth of July week-end (July 2, 3, 4). Set so far are Hal Kemp and Benny Goodman.

Layout of acts not yet lined up. Bobby Breen and Three Stooges (Howard, Fine and Howard) are sought to top.

BERLIN·BULLETIN

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GOODNIGHT ANGEL The Number Song Hit
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*Lyric by Edgar Leslie Music by Joe Burke*

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# Nitery Reviews

## THE ONYX, N. Y.

Stuff Smith and his 'I'se A-Muggin'' vipers are back at the Onyx, which rightfully bills itself 'the cradle of swing.' This 52d street swingo has cavalcaded the 6 Spirits of Rhythm, Art Tatum, Riley and Farley ('The Music Goes 'Round and Round,' remember?), Maxine ('Loch Lomond') Sullivan, and now has Smith back again. Smith's stuff is there and plenty mellow for the alligators, the combo comprising Jonah Jones, Cozy Cole, Clyde Hart, Mack Walker and Bobby Bennett.

The jitterings react to Joe Helbock's asylum of solid senders in usual manner, and to greater b.o., now that the minimum tariff is $2 instead of $1.50; $2.50 on weekends.

Smith and his cats work hard and often, ith 15-minute intermissions, which is just about right. Jones on the horn seems somehow under wraps, not doing those ingratiating double numbers as in the past. Cole, at the drums, is per usual solid Jackson with the percussions.

From an academic viewpoint, the Onyx anew brings up the observation that swing is perhaps the greatest common denominator for equalizing the races. There's no color line with the alligators, and in truth the topmost killer-dillers are from Harlem, transplanted to the 52d street environment. And perhaps the most appreciative audience constitutes the professional musicians as a class.

**Mammy's Chicken Farm**

Right next door to the Onyx is Will Rockwell's Mammy's Chicken Farm. It has no mammy, and it isn't a farm, but it does feature chicken, although what they really come for are two expert exponents of swing, Bob Howard and Gladys Palmer.

Latter is renowned for her 'Trees' swingo, and Howard is a WHN standard with his Walleresque mayheming of the keyboard. Howard's vocal aide is Billy Daniels, also a WHN builder-upper, and possessed of a fine voice. *Abel.*

## Jack White's 18, N. Y.

*Jack White, Pat Harrington, Jerry Blanchard, Jerry Kruger, Prof. R. E. Lee.*

Jack White, No. 1 Giants fan and No. 1 52d street funster, is now 50% partner of his Chez Blanc, as the insiders affectionately label his madcap factory of furious fol-de-rol. This spot has been packin' 'em in right along, headed by a truly unique comedian, whose style merits an even wider recognition. He's not too insidey and smart, because he is of the same zany pattern as Jimmy Durante in miming, and the Schnoz has long since won a wider audience.

White, paradoxically, remains what is today's sole heritage of the fast and funny school of speakeasy insanitics. There's a nostalgia for the closed-door boite of pre-repeal that immortalizes him with the bunch that's been around New York for some years, and he's surefire to those who glom him for the first time.

Pat Harrington, of course, is White's alter ego, with a rapid-fire, fast-talking routine of quip and take, and an ad lib style that's unique only with the seasoned performer.

The rest are not exactly stagewaits, but merely serve as foils for White's and Harrington's energetic style of funstering: Jerry Blanchard, Jerry Krueger, an anonymous sister act, an ad lib bunch of cats in the background, who whip up some nifty dansapation, and the rest of the crew. Not forgetting the peudo-Prof. R. E. Lee, an okay stooge.

Cafe society, so-called, has a flock of well upholstered spots in which to park the bodies, but Jack White's Club 18 is unique in itself. *Abel.*

## ROYALE FROLICS
### (CHICAGO)

*Chicago, April 20.*

*Sid Tomack & Reis Bros., Dolly Kay, Dawn & Darrow, DeLong Sisters, Maxine & Clayton, Jack Hilliard, Mark Fisher's orch.*

One of the old-time standby cafes in Chicago, this nitery continues playing to a steady and loyal patronage, with plenty of good, solid entertainment. No skimping on show or production.

Dolly Kay back here and still a strong fave with her excellent pipes and salesmanship having the customers shouting for more.

Two acrobatic acts are good. Maxine and Clayton, man and woman team, work well and do best with head balancing. DeLong Sisters depend mostly on tumbling. Make good appearance. Dawn and Darrow are nice looking ballroom couple but need a couple of ballroom tricks. Strive for too much romantic effect, but otherwise good on dansapation.

Tomack & Reis Bros. are fave comedians in this spot. Have plenty of special lyrics that fit in a nite club. Singers are Jack Hilliard, okay, and Mark Fisher, who also leads the orchestra. Fisher can always be depended upon for solid vocalizing, having a considerable background as m.c. and singer in theatres. He rates as a name in these parts and delivers also as a music leader. *Gold.*

## UNION PUBLICLY PLUGS RKO VAUDE

Boston, April 26.

RKO Theatres and Charles W. Koerner, New England division chief, were publicly congratulated in all six local papers last week by three theatrical union locals for maintaining vaude in Boston.

The friendly backslap, dented the joint union treasuries about $275.

**Roger Pryor's band,** which folded at Frisco's Hotel St. Francis Monday (18), is set for Seattle, May 5 and 6.

Bell's Hawaiian Follies

Apr. 27—Fox Allen-Globe, Ariz.
Apr. 28—Fox, Tucson, Ariz.
Apr. 29 to May 2—Fox, Phoenix, Ariz.

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# New Acts

**DIXIE DUNBAR**
**And Tommy Wonder**
**Dancing, Songs**
**10 Mins.**
**Keith Memorial, Boston**

Even though long absent from vaude, Dixie Dunbar's film buildup provided her with a ready-made reception committee when she opened here. Laying off the blah, except for a mention that it's nice to work for a live audience, iss Dunbar gives 'em entertainment in the song-and-dance department, which is her most valuable stock in trade.

Tommy onder, an accomplished youngster, is a perfect partner as to size, good looks and hoofing ability. They vocal 'Double Dare You' together, then dance it. Each does a solo tap number, and Miss Dunbar, in addition, vocals 'You're an Education' and handles the m.c. end of the act capably.

Miss Dunbar's personality projects like a million, and she frames it beautifully with simple but striking costuming. Rated either as a personal appearance or a new vaude or nitery act, it's a winner. *Fox.*

**JOSEPHINE STARR**
**Songs**
**5 Mins.**
**Stanley, ittsburgh**

Nine-year-old youngster George Jessel has been bringing along on his Sunday night air show has a voice many a Met diva wouldn't mind owning. Not generally known that she's a Filipino child and first appearance of copper-colored tot is something of a surprise.

Once she opens the pipes, however, the mob is hers. Miss Starr goes in for the most difficult operatic arias and never falters, hitting every high note and bringing 'em home with almost perfect pitch. For an encore, she does 'Italian Street Song' from 'Naughty arietta' and somebody with his eyes closed would swear it was being done by a young woman three times tiny Miss Starr's age. Just to show her versatility, kid takes a fling at the piano for a finish and knocks out a classic with all the ease in the world.

Unusually talented mite looks like a pushover for bigger things in the future, chiefly on concert stage or radio. Definitely racial characteristics might be a drawback as far as the screen is concerned, however. *Cohen.*

**JUANITA AND HER CHAMPIONS (4)**
**Roller Skating**
**4 Mins; Full**
**State, N. Y.**

A crack act com rising four young, blonde women in fast and difficult roller skating routines. Not only an excellent bet for theatres, but shapes as highly desirable for nitery floors.

The four girls work on a small mat, doing pirouettes, whirls, carrying stunts, etc., in the manner performed by men of both muscle and skill. Girls make a nice appearance and perform with unusual speed as well as grace. *Char.*

## Saranac Lake
### By Happy Benway

Mrs. Fred Essi ler, Mrs. Robert Schlaf, of Westchester, N. Y., Will Rogersing and ogling the master come-backer, Fred Essingler.

Irving Wilbur operated on successfully by Dr. Wariner Woodruff. Ditto for Henry (Richmond, Va.) Weunch.

Edith Lemlick, who made the Broadway rounds while on a short New York vacash, back at the Will Rogers.

Johnny Jones, formerly of the Three Aces, skating act, is a newcomer at the Will Rogers.

Isabelle Rook okay after op.

Bob Burke's first pneumothorax needling a big success. He's a song writer.

While ozoning here, little Johnny Di Giovanni, of New Jersey, has developed a three color process for pictures. It's on the way to a Washington patent.

The Actors Colony had many holiday visitors. This makes the curing easi

Jake Bernstein, Eddie Sharkey, Happy Meyer, Barney Hazen, Bert Caley, Shorty Jackson, Chas H. Cole, all of Rochester, N. Y., never miss the chance to make it worth while for us in the Actors Colony. All are members of the International Alliance of Theatrical Stage Employees Union.

This column wishes to thank Mrs. 'Mother' Morris, Jerry Vogel, Al (Minstrel) Tint, William Nelson, the inmates of the Will Rogers, Dr. George Wilson and Dr. Rudy Plank for holiday greetings.

**rite to those you know in Saranac and elsewhere who are ill.**

## • 15 YEARS AGO •
### (From VARIETY and Clipper)

Cosmetic concern extended Rudolph Valentino's dance tour 10 weeks. Show had been picking up.

Eddie Leonard topped the N. Y. Palace. Spent most of the act on hokum about how he loved his old friends and how they loved him, but it got the crowd and he got the encores. Pretty crude stuff, but it was surefire.

Mae West was back at the Colonial with Harry Richman at the piano. He had tried out a single act a couple of weeks previously, but went back to the piano.

Bill Robinson, who had tried out at the Fifth Ave., was at the Colonial with his turn in big time shape. Has been that way ever since.

Harry Langdon had a new act at the Palace, Chicago. Scene in a former saloon, now a dry goods shop, with the former patrons buying each other ties and hankies by way of treats. Got over nicely, but did not last.

Four Chicago dance halls playing to as many as 30,000 persons on good nights. Hurting vaude, but there was nothing to be done about it.

Brook Johns, playi is banjo to Ann Pennington's dancing, broke one of his strings during the act at 'Jack and Jill' at the Globe, N. Y. Told the orch to stop playing while he left the stage to fix the string, leaving the dancer flat. She followed him into the wings where she was reported to have pasted him one. Then she went back and finished the dance sans Johns.

Raymond C. Schindler and Peter Michaelson brought over about 90 of the Oberammergau Passion Play cast for an exhibition. Cast were to ply their usual trades and sell their products. Rest of the exhibit was some of the props. A brodie that never got started.

British Broadcasting Co. up against it. License fees held to be illegal and plenty of royalty trouble.

State theatre taxes were on the dockets of 14 legislatures. Practically all fought down.

Nati Council of Travelling Salesmen planning Sunday night benefits to gain funds to fight the railroads on the mileage question. Counted on theatre support because traveling companies would profit.

Al Reeves decided to quit burlesque and rented his wheel franchise to Barney Gerard.

Producing managers, picture theatre owners and radio cos. planning to unite in a fight against American Society of Composers, Authors ond Publishers. Never did much.

## AFA Asks Dismissal Of NVA's $250,000 Suit

National Variety Artists' $250,000 libel action against the American Federation of Actors was answered April 25 when AFA asked for a dismissal on grounds of insufficient evidence. Argument was postponed until tomorrow (Thursday) in N. Y. supreme court.

At the same time the NVA was thrown into internal dissension over proposed curtailment of president Louis Handin's powers. Dissenters want to limit his committee naming privileges. Started when he dismissed Joe Verdi from house committee. Objection to relation with Peony's (Professional Entertainers of New York) also caused part of rucus. Both matters are to be taken up at general membership meet on May 15. Handin will abide by the proposed amendments if voted for.

AFA has labeled the NVA suit a publicity stunt, slating that when the trial gets to the court stage all the dirty linen of former days concerning the NVA will be aired.

## Cleve. Law Hits Nitery Loophole On Music Permit

Cleveland, April 26.

Smaller niteries, that have been using strollers, automatic phonographs or non-union orchestras only on weekends to cut expenses, are finally getting socked by a stricter music ordinance as result of investigation by Charles H. Bringman, inspector of music halls.

Bringman discovered that present ordinance, which requires city permits at spots dispensing music between 10 p.m. and 8 a.m., gave the bandless bistros a loophole. Spots have been taking advantage of it by refusing to buy $10 annual permits and by breaking all rules the licensed places must observe.

Night Club Owners' Assn., whi has to pay plenty for licenses, is also behind the drive to make the so-called wildcat cafes get in line. Revised law pushed by Bringman will hit 512 cafes, nabe stubes and beer parlors that have been dodging licenses. Besides increasing city's revenue more than $6,000 annually, by embracing all places having music, safety director Eliot Ness aims for more uniform enforcement.'

Insiders interpret this cover-all phrase as meaning that the chiseljoints will have to clean up or else. As soon as all are licensed, Ness plans to start a check on spots forcing entertainers to double as hostesses, which is grounds for revocation.

## 4 Martinez-Gil Bros. Due from S. A. Vaude

The Four Martinez-Gil rothers, Mexican singers and instrumentalists, are sailing back to New York after a tour of South American theatres. Mary L. Shank handles the act in New York.

In S. A., the quartet played the Argentine, Chile and Peru.

## U. S. Sleuthing Niteries

The Internal Revenue Dept. launching a delinquent tax driv against the Broadwoy cabarets.

Niteries are not kicking in as they should on Federal 3% tax, according to U. S. sleuths.

## Nat Kalcheim Better

Nat Kalcheim, head of the vaude booking dept. of the William Morris office, recovering nicely at Physician's hospital, New York.

He underwent an operation for appendicitis last week.

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THIS WEEK ORIENTAL, CHICAGO
Direction: WM. MORRIS AGENCY

# Veloz and Yolanda Draw Capacity In N. Y. Ballroom Concert Debut

Chiefly as an exploitation proposition, Veloz and Yolanda, ballroomologists, who recently closed at the Hotel Plaza's (N. Y.) Persian Room, gave a dance recital at Carnegie Hall, N. Y., Sunday night (24). It drew a capacity crowd. Assisting was Pancho and his Orchestra, from the Persian Room, and the sole subitem was one accordion specialty by Jerry Shelton, who played Debussy's 'Afternoon of a Faun' and Rimsky-Korsakoff's 'Flight of the Bumblebee,' and clicked big.

But it was otherwise a 100% Veloz and Yolanda proposition, strictly ballroom dances, in itself unique because it was a moot question by the S. Hurok management whether that might tire as an entire evening's divertissement. At $2.75 top, running from 9 until 10:30, it was answered by the fact they clamored for more and, after an extra encore of the 'Tango Yolanda' (composed by Frank Veloz), the latter had to beg off.

As a Carnegie Hall event, it was a freak only in that it's the first time a straight ballroom team has ever essayed anything like that. Terp recitals otherwise are no strangers to the sacred precincts of this edifice of the arts, although along more classical lines. On the other hand, after Whiteman, Grofe and Benny Goodman, the Carnegie Hall attaches can expect anything.

Back of it all, however, is a showmanly move by this topflight ballroom team to give themselves a little exploitation hypo. Going out on tour, anything with a Carnegie flavor gives the ballyhoo boys something to point up.

Veloz and Yolanda run the gamut of the pop terps, but with showmanship angles. Instead of merely doing a shag or apple, their usage of S. R. Henry's 'By Heck' tune, to trace the entymology of the bucolic flavor now manifested in the present-day big apple, well sets that off. There's also the yesteryear maxixe, the dancing lesson, a couple of fast numbers to old tunes such as 'Darktown Strutters Ball' and 'Alexander's Ragtime Band,' plus of course the svelte and suave tangos, rhumbas and waltzes for which they're noted.

Several of the numbers are culled from the team's film efforts such as 'Champagne Waltz,' 'Many Happy Returns' and 'Under the Pampas Moon.' The Veolanda is another self-creation, along lighter lines.

Pancho's usually competent dansapation alternated the sequence of the numbers, earning salvos on their own for the smooth symphonized syncopation. *Abel.*

# 21 CLUB, PHILLY, WINS ROUND 1 FROM N. Y.

Philadelphia, April 26.

New York's 21 Club was refused preliminary injunction in federal district court here this week in its it to prevent nitery here from using the same moniker. Judge Oliver B. Dickinson denied the petition, which claimed the Gotham cafe was first to use the name, and thus has sole right to it.

Attorneys for Philadelphia's 21 main ined they have a right to the tag, as it's only a contraction of their address, 1221 Locust street. Also contended that, by allowing its use in pictures, New York's 21 gave up sole right. Final hearing on the petition will be held later, with request of N. Y. outfit for $50,000 damages.

Boo Boo Hoff, who bought into 21 here recently, left the partnership during the past week. His share was repurchased by the original partners, Biff Beifel and Harry Drob. Much of the help that was employed before Hoff's entrance into the firm was also rehired.

### JANE PICKENS'

Jane Pickens is booked for a week at Loew's State, N. Y., openi g May 12.

Singer rejoins .ernie's U. S. Tire radio progra she winds up her p.a. tour.

# NIX 'HOTEL' INJUNCTION VS. WB; JUNE TRIAL SET

Move for temporary injunction against Warners' 'Hollywood Hotel' film by Harry Howard, producer of vaude unit of same label, was denied in New York supreme court by Judge Ferdinand Pecora April 21. Court said that the facts presented did not warrant such drastic remedy without trial. Matter is now skedded for trial sometime in June, according to I. Robert Broder, counsel for plaintiff.

Howard is suing for an injunction and accounting on film's profits, claiming fil is hurting his chances with the unit. 'Hotel' is now playing the T. D. Kempt-Paramount time through the south.

# TUCKER TO LEAD B&K NAMES INTO CHI

hicago, April 26.

Louis Lipstone, booking manager for Balaban & Katz, has lined up the heaviest headline talent the circuit has booked in months for loop vaude spots.

Leads off with Sophie Tucker May 6, followed by Abe Lyman's orchestra May 13, Gene Raymond May 20, Tommy Dorsey's orchestra on a two-weeker starting May 27, George Jessel June 10 and Chick Webb's orchestra June 17. Rudy Vallee's orchestra is due July 29, with Eddy Duchin's orchestra tentatively booked for week immediately following engagement at Empire Room of the Palmer House.

While most of the acts are booked for the Chicago, they may be shifted to the Oriental. Set for the latter is Cliff Edwards for week of May 13, followed on May 20 with a 'Battle of Swing' between Ernest Hawkins and Ray Gordon bands, plus Stepin Fetchit.

# B'way H'wood Sells Its Furniture for $11,000

Furnishings of the A. & U. Corp., which operated the Hollywood Restaurant, N. Y. nitery, were sold to Oscar Epstein, auctioneer, last week (22) for $11,000. Deal was closed by Edwin M. Slote, who represented the creditors. Negotiations to lease the premises to Joseph Becker, former Detroit nitery operator, have struck a snag and the Central Hanover Bank, trustee for the Juilliard estate, which controls the property, was negotiating early this week with another prospective tenant.

An offer of $250 for the Hollywood's name will be considered today (27). Examination of the Moss brothers, who operated the spot, was continued yesterday (26) by Slote.

Attorneys for creditors of the BMO Corp., operators of International Casino, N. Y., are working on a reorganization plan which is expected to be ready early in May. Plan will be submitted to Federal Judge Patterson around May 11. All creditors have not yet been seen, but reorganization plan is presently being worked on. Zalkin & Cohen, attorneys.

Federal Judge Robert P. Patterson yesterday (Tuesday) signed an order continuing the present management in control of the International until May 18. Court also authorized the corporation to borrow up to $10,000 for additional expenditures. Creditors have been notified to file all claims by May 16.

## Dave Apollon to Sail Abroad for New Acts

Dave Apollon goes abroad next month to spend several months scouting for novelty acts to be incorporated into his vaude unit next season.

Recently winding up a vaude route, Apollon is now in New York, making some shorts with his band for Warner's.

## Wardrobe Attendants Plan N. Y. Hotel Drive

After mid-May nominations for June elections, the Theatrical Wardrobe Attendants Union, local 16770, will start its drive to line up New York hotel niteries and private theatrical maids. Drive was postponed following meet on April 17.

Union wants to get decks cl red before it starts new activities and is waiting for conclusion of its annual ball at the Center hotel, New York, May 1 and the nominations before proceeding. A drive is also planned for other niteries, too.

# Mort Harris, 44, Killed in Coast Auto Accident

Mort duction , and brought here three months ago by L. K. idney to script the Metro 'Good irshow, killed April 24 when his car plunged off the Ridge route north of Los Angeles.

His wife and Mr. and Mrs. Powell Ozier were seriously injured in the accident caused by Harris' car hitting another and rolling 300 feet over a steep embankment.

Before turning to radio he was a songwriter and for several years stage producer of the Capitol theatre on Broadway. At one time he was Coast head for Waterson, Berlin & Snyder.

# MORE 'SNOW WHITE' MARIONETTES BOOKED

arionette shows using the characters of 'Snow White and the Seven Dwarfs' are being offered to small picture houses in the east, with the idea of cashing in on small-town anticipation of Disney's cartoon before it hits the whistle stops. Shows are put out by Jack Goldberg, George ( labama) Florida and Beppo's marionette troupes.

One unit opened in eastern Pennsylvania last week and another plays the Warburton theatre, Yonkers, N. Y., this Friday and Saturday (29-30). Shows are of 40 mins. duration and are handled by three operators.

## Yacht Club, Chi, Folds

Chicago, April 26.

Yacht Club, nitery here, closed suddenly on Saturday (23). Had been dropping off during the past few months, with the general word-of-mouth among the Chicagoans expressing dissatisfaction with the acts and shows.

Figured to reopen shortly, with an indicated sharp revision in the style and bookings.

### MAGI'S PIC JOB

Hollywood, April 26.

Walter Baker, veteran magician of the days of Hermann, Keller and Houdini, has been assigned as technical adviser for 'The Magician's Daughter,' etro briefie.

# ARK. CAFE OP KILLED IN GUN MELEE; 2 HURT

St. Louis, April 26.

Luther Burton, 30, owner of a Blythesville, Ark., nitery died 24 hours after being shot by Harry Bailey, another nitery operator, last week in the latter's place in Caruthersville, Mo. During the shooting, in which a shotgun was used, Hubert Utley, another nitery operator, and his employee, Bond Campbell, were injured. Utley was taken to a Memphi , Tenn., hospital and Campbell escaped with a minor scalp wound.

Bailey, according to Deputy Sheriff Smith, of Caruthersville, to whom he surrendered, said the shooting occurred after Burton, Utley and Campbell invaded his club and announced they intended to 'take over this place.' Bailey furnished $13,000 bonds for his appearance at a preli inary hearing Saturday (29).

# VAUDE-NITERY AGENTS FORM OWN ORG.

After two weeks of pow 's, vaude and nitery agents got together this week and formed their own organization, tively the Theatrical Artists' Representatives and Agents of America. They add to ranks of organization-conscious agents now including Equity agents and the cooperating Entertainment Managers' Association.

First meeting of vaude-nitery percenters was called at the Edison hotel last Friday (22). Of 100 called, about 60 showed, and since that time others have expressed willingness to joi . Another call goes out for this Friday (29) at which time elections and selection as organizer of Jack Howard will be settled.

Agreement has been reached with the American Federation of Actors whereby the organization's members will be franchised by the actors' group, and members told to deal with the agents' new setup. AFA has also promised to discontinue booking of acts on its own, which program was announced about a year ago. Hereafter all such matters will be referred to agents to handle.

Of the 25 Equity agents operating, 14 have committed themselves to the group. Most of others have not decided yet but William Morris and Lyons & Lyons have definitely voiced their refusal to join, it is stated.

License Commissioner Paul Moss has already threatened the Entertainment Managers with court proceedings if they fail to take out licenses. EMA figures that as bureaus taking no commission from acts, but paying salaries for work done, they are not required to be licensed. Howard Wheeler, prez, has instructed members, however, not to fail to take licenses if they are operating under agent commish status.

# $1 Balcony Sale at Casa

## To Hypo the Upper Shelf—Just the Show—Downirs Per Usual

Billy Rose will alter the seating arrangement of the entire balcony of his Casa Manana for summer name vaude policy. Balcony will become a flat $1 ad ish for seeing the s ow and all night dancing privilege, with wining and dining out, except on the lower floor, where nitery atmosphere will remain.

Stunt was decided upon as a patronage builder for the ordinarily light balcony attendance during the sum er months Those filling the u stairs theatre seating arrangement are figured to patronize the bar for their refreshments and thus up the 'dollar' tap.

Rose s at present trying to figure a way around the ABC law, which prohibits peddling of drinks where there is a flat ticket admish. So are the other legit theatre managers who would very much like to do the same thing. The bar idea, with legit, bespeaks good b.o. possibilities.

Thought that the American Federation of Actors would step in with release of all choristers because of the new type show was denied by Harry Calkins of AFA. Says AFA cannot dictate kind of show for a s ot, despite fact that girls recently signed up with AFA on strength of their jobs and AFA secured a closed shop contract about two weeks ago.

# N. Y. Booking Group and AFA Team To Fight Against Chiseling Agents

Entertainment anagers' Assn. (club-date bookers) in New York has come u ith a plan to combat fly-by-night agents. Group is working with the American Federation of Actors and various agent factions agai iselers. EMA's plan is a cooperative arrangement with club acts, which constitutes an authorization from acts for their representation by EMA. Would mean erence on both sides, acts for bookers and bookers for EMA acts.

EMA has been inviting acts to its meetings for informal discussion of the plan. Billy Glason, spokesman for the acts, states that majority are for the idea since it virtually constitutes assurance of work, although it's not a guarantee.

Among suggestions are that a cooperative council of six bookers and six actors sit in to regulate working conditions for acts. Idea is to establish specified fees for acts which would be maintained under threat of fines for violators on either si Actors would request that mass audition gag of EMA be discontinued as a poor practice which doesn't benefit acts. They would also eliminate doubling of bookers into other theatre employment. usician and caterer bookings are also under fire.

Private club act biz has been steadily growing during past few years and is fast absorbing remnants of vaude. ith growth came agents and chiselers, whose leveling of vaude standards brought concentrated action by many roups, of which the EMA has emerged as one of the leaders.

Plan, if accepted, would not go into practice until next season. Regular club season is from October to May. Will be worked upon all summer and tested before being officially adopted. EMA attorneys are going over the situation with an eye to possible legal difficulties on trade restraint laws, but little likelihood of conflict with law is seen in move, which is simply a preferential arrangement.

EMA settled its differences last week with the Theatre Authority, benefit control body, which is close to the EMA's field, and both are working together. Difficulty arose as to whether or not the T. A. was booking club shows and benefits from its office.

# PHILLY THEATRE LOOKS TO BAND AIRINGS

Philadelphia, April 26.

Warner Bros. Earle here looking forward to future airings of commercials by name bands from its stage. Contrary to experience of the WB Stanley, Pittsburgh, effect of Tommy Dorsey's recent Kools show for the entire six-day run was okay on the boxoffice.

House execs in Pittsburgh are considering elimination c. big broadcasts from the stage. They claim customers stay away all week, saving up for the night of the air show. Then there is such a mob many have to be turned away. B.o. on day of the broadcast was said to represent 25% of total take.

roadcast from the Earle here was given no terrific buildup, as in Pittsburgh, which may have accounted for greater normalcy in day-by-day receipts

## Abe Lyman Dickering For Troc, Hollywood

Hollywood, April 26.

is on a deal for pur- adero, but it's not gotiations are success- oves here permanentl is own band in

## NOW IN AFRICA AFTER PLAYING THE MOST SENSATIONALLY SUCCESSFUL SERIES OF SEASONS (UNDER THE DIRECTION OF SIR BENJAMIN FULLER AND MESSRS. LEON S. SNIDER AND GEORGE B. DEAN) IN THE HISTORY OF THE LEGITIMATE STAGE OF AUSTRALASIA!

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## LOEW'S STATE, N. Y.

*Juanita's Champions (4), Frakson, Jack Powell, Moore & Revel, Mae West, Milton Watson, 6 Leading Men; 'Merrily We Live' (MG).*

Making her first Broadway appearance in over five years, Mae West is going on 39 times during the week. This is her first time at the house. She's getting $12,500, with a 50-50 split over $38,000 and will probably run around $14,000, judging by the opening days, although the weekend wasn't as big as expected. In order to get the desired turnover, the five-act bill with Miss West is held down to around 46 minutes each show.

House opened 8 a.m. Thursday and before 10, when the stage show went on, there was standing room only. That Miss West has a stout juve following is indicated in that plenty of kids are hanging around the stagedoor all day waiting for a glimpse of her. But her patronage at the State is also singularly culled from the old lady-from-Dubuque types. Indicating a curiosity draw.

Getting a big ovation as her name went up on the annunciators, the film star at the first show Thursday did 22 minutes, clicking solidly in spite of some rusty gags, such as 'it isn't the men in your life, it's the life in your men.'

Miss West is smart enough to realize that the swagger, Bowery voice and other attributes, which made her years ago, must not be changed. She carries Milton Watson and a male chorus she bills as her Six Leading Men. The sextet, in tails and top hats, opens with bits of songs from various pictures Miss West has made, action going to full-stage for the star's entrance. The songs, in the six-year cavalcade, disclose not one to have attained any sort of hit popularity. She has a special, 'Come Up and See Me Sometime,' followed by talk in which a colored maid and Watson figure. Latter plays a gigolo and sings 'I Kiss Your Hand, Madame.' Finish is in one, with the six men and Miss West singing another special, 'Slow Motion.' As the title would indicate, her 'slow motion' business suits the lyric.

There's a strong bill around the headliner, but it's held down to a minimum. Opener is Juanita's Champions (New Acts), roller-skating quartet, in a four-minute smash exhibition. Would be good for cafe floors. Jack Powell is doing the same comedy routine with the drumsticks, as ever effective, while Moore and Revel have two nifty hokum ballroom dances. Frakson is the No. 2 act, with card tricks and magic. His chatter means nothing and the radio disappearing stunt does not impress. Cigaret portion of the routine excellent but now familiar. *Char.*

## CAPITOL, WASH.

*Washington, April 24.*

*Martin & Robinson, Novak & Fay, York & King, Allan Jones, Phil Lampkin's house orch; 'Battle of Broadway' (20th).*

Four acts of straight vaude suffice this week, with p.a. of Allan Jones, Metro singer, topping. First three turns are good, but it's Jones who drags 'em to the turnstiles and makes 'em happy they came as he sells himself solidly.

Tenor's routine includes medley of 'Pretty Girl,' 'Alone' and 'One I Love'; then 'Donkey Serenade,' 'Always and Always' and finally 'Make Believe,' from 'Show Boat.' And customers still want more.

Bill opens brightly with Virginia Martin and Bob Robinson, youthful and attractive dancers, with plenty of dash and personality. Tap routines are bright and they ought to go places. Next are Novak and Fay, comedy acrobats, who even get laughs out of old gags. Next to shut has York and King, whose standard comedy antics are effective.

Overture by Phil Lampkin's house crew, in pit, indicates swing's greater popularity here. Pleasantly does selections from 'Martha,' including 'Ah, So Pure,' then greeted by burst of applause when he starts to railroad latter.

## EMBASSY, N. Y.

Even for the most enthusiastic fan the reels are pretty dull this week. There's too much sports and fashions coverage, with dearth of politics and comedy being felt. Wars in Spain and China get go-bys.

On sports, Fox's Ed Thorgerson spiels on Jamaica racetrack. Atlantic City ice carnival and a London soccer game. Metro covers the baseball openers of Giants and Cubs, with a slant on Diz Dean. Same reel halves Joe DiMaggio's signing with Yanks (Pathe). Latter covers Yanks-Red Sox opener, and Paramount handles Detroit-White Sox. Other Pathe sports stuff includes kids boxing in the Bronx, Boston marathon and Helen Wills, plus some advance work on the coming Seabiscuit-War Admiral turf tussle. Paramount focuses an invention to aid swimmers in pacing.

Universal is under average, with only an angle on the Mexican oil situation, an Idaho log jam, a shot of a ship piled up on rocks and a New Jersey amusement park getting spruced for the season. Park gets no plugs by name; subject used to be an annual with Metro.

Pathe has a Nevada train wreck, a new type combined auto-trailer and a beauty parade. Par reels Army's new autogiros, General John F. Pershing arriving in N. Y., a newfangled 'jungle yacht' and a new auto which uses minimum of petrol. Also Henry Ford at Dearborn and Sue Read's description of a fashion flaunt aboard the liner Rex. Plus an advance of the Frisco Fair.

Metro also has some footage on Pershing and Queen Mary visiting coal miners. Coverage of France's Grand Prix auto race is very good. Lowell Thomas describes Pacific fleet at sea (Fox), Malcolm Campbell experimenting on new boat, new stamp issue, rhumba fashions, Grand Coulee dam, bowling match, and several novelties. Adelaide Hawley talks on gas-proof baby cradles in France and new coiffure styles.

Fox's Lew Lahr is very light, with only one clip, a woman from Norwich, N. Y., who's immune to fire. She sprays herself with a blow-torch as proof. Not very funny. *Bert.*

## Roxy, Salt Lake City

*Salt Lake City, April 24.*

*Harry Savoy, Jackie Nolan, Monroe & Adama Sisters, Edith Griffith, Tracey & Hay, Butch Holt, Bill Floor's house orch; 'Boy of the Streets' (Mon), 'Carnival Queen' (U).*

Tepid stage fare this week with smallest array of fleshers in months. Harry Savoy, billed as an Eddie Cantor radio stooge, headlines and m.c.'s.

Savoy works hard during the 40 minutes, garnering laughs by his gag introductions and banter exchanges with Edith Griffith, infectious warbler. He reaches top proportions during a two-minute dramatization of the madman scene from 'Richard the III,' which clicks solidly. His other efforts include fast chatter, gag lyricized version of 'Thanks for the Memory' and mimic of Jolsonian bend-knee song.

Drummer Butch Holt's skinbeating features Bill Floor's house band on a couple of pops. Curtain raiser is Jackie Nolan, redheaded youth, whose harmonica jamming, especially on 'Solitude,' is good.

Entering the stage, formally attired, and simulating drunks, Tracey and Hay, mixed team, hoof pleasingly. Edith Griffith, Savoy's partner, sells four pops in a hurry and has to beg off. Her repertoire includes hot licks, hillbilly chants and novelty ditties. She also has a turn at the black-and-whites.

Savoy's solo stint follows, and Tracey and Hay come on for another routine, dubbed a Harlem fantasy, which lacks Lenox avenue polish.

Tailender is unique but is minus finesse in its specialties. Monroe (male) and Adama Sisters are just another juggling team and, at show caught, muffs were chalked against each. Monroe, leadoff, handles the bigger burden, but youngest of the sisters shows potentialities of becoming adept at juggling hoops while tapping a neat routine. Trio opens with bouncing rubber balls on snare drums, followed by precision terping, at the same time juggling tambourines. House recently spent $20,000 in refurbishings. *Guss.*

## LYRIC, INDPLS.

*Indianapolis, April 24.*

*Wallace Bros. (2), O'Brien & Goldberg, Ding, Dong & Dell, Don Chester, Duane Sisters, George Gary, Bert & Bette, Pankie, Gay Allen, Sally Swing, Estelle Madlon, Buddy Page, Lou Campbell; 'Women Are Like That' (WB).*

House is playing its ninth Major Bowes unit, and as they come they seem to be less amateurs and more second-rate professionals. House orchestra is on stage throughout, as usual, with no attempt made at production. Buddy Page, m.c. slows the show with his old gags. He makes no attempt to tie-in the cast with the radio programs on which they were supposed to have appeared, with the exception of Lou Campbell, who was sent out from the Thursday (21) program. The present answer to the managerial telephone call is a throaty alto, who torches a couple of pops acceptably.

Standouts are O'Brien and Goldberg, who burlesque radio commercials, but excluding Bowes. Wallace Bros. Negro tappers open. Pankie wins a salvo with his harmonica rendition of two tunes and Ding, Dong and Dell, femme trio, harmonize well on pops. George Gary then falsettos an operatic tune. Gay Allen taps on a small drum. Duane Sisters acro dance, Bert and Betty tap while drumming on chair backs. Sally Swing taps, Don Chester mimics radio and film stars and Estelle Madlon gives a soprano operatic aria to fill the bill.

At show caught, there was no applause when each performer was introduced, as was customary at previous unit bookings here when audience apparently recognized amateur from radio appearance.

Biz fair at last show Friday (22). *Kiley.*

## EARLE, PHILLY

*Philadelphia, April 22.*

*Cab Calloway's Orch, Avis Andrews, Six Cotton Club Boys, Stump & Stumpy, Lou Schrader's house orch; 'Battle of Broadway' (20th).*

After a couple of slow weeks, Earle again slides into the groove this sesh with an hour of powerful flesh entertainment. Credit for the niftily-paced show goes mostly to Cab Calloway. Aside from Avis Andrews, regular chirper with the band, only other turns are Six Cotton Club Boys and Stump and Stumpy. This gives the orchestra an opportunity to exhib and overcomes weakness of last week's show when Glen Gray's Casa Loma combo did nothing but background the other acts.

Calloway, working in white tails, is good for plenty of palm patter as he gives life to every slightest lull. In addition to his occasional warbling, Calloway does 'Hi-de Ho Romeo' with Miss Andrews, a song takeoff on Shakespeare. Good, although a little wheezy in spots.

Sock 14-piece band uncorks 'China Boy' and then goes into 'Paradise,' with Calloway vocalizing. Later gets in 'Bugle Call Rag' and another audience-participation novelty. Just before the curtain it goes into 'Minnie the Moocher,' with the crowd grabbing the hi-de-hos. Introduction of a new dance and terp tune, the 'Skrontch,' comes as an anti-climax. Couple of hoofers giving an exhibish of it might help. As it is, all the acts come out and do a short 'Skrontch.' Transposition of the last two numbers would be an improvement, with entire squad taking up 'Minnie.' There's nothing more needed but the curtain after 'Moocher's' final hi-de-ho.

Rest of the show is swiped by Stump and Stumpy, couple of local ebony lads, who've been playing Negro niteries here. Pair chirps 'Swing for Sale' mildly, then goes into some dizzy hoofing and mugging, all with plenty of humorous bizness. Stumpy follows with version of Donald Duck singing 'Marie.' Then an imitation of W. C. Fields. Stump next with mimic of Ted Lewis. Imitations are good and helped by clever lines. Both have plenty of personality and are good terpers.

Six Cotton Club Boys are weakest on the bill, though they make neat appearance. Nicely uniformed, they do a tap on three drum boxes shaped like boat hulls, very disappointing. Precision is almost perfect, but it's so near perfection every little slip is noticeable.

Miss Andrews tosses off a nice lyric soprano in 'Still of the Night' and couple of other ballads. She's attractive and gets strong support with good lighting *Herb.*

## JUBILEE OF 1938

### (STRAND, BROOKLYN)

*Louise Boyd, Dick Sharp, Frances Berke, Marshall Rogers, Three Rhythmsteers, Tony Russo, Mario Jullo, Jack Fletcher, Bert Frohman, Five Harmonica Jacks, Marie & Joe Smith, Ted Eddy's house orch (10); 'Girl Was Young' (G-B).*

Major Bowes unit, with Bert Frohman, the sole admitted professional, as m.c., is one of the smoothest parcels the Major has put together in some time. Needs a little tightening, but has requisites to carry far.

Dick Sharp, cowboy yodeler and trick rope twirler; Five Harmonica Jacks, Jack Fletcher, tapster, and Joe and Marie Smith, father-daughter dancers, grab the big laurels. Fletcher cleans up with two terp imitations, one of Bill Robinson being aces. Lad gets nice local buildup via the theatre manager, who got him after hearing him 'only this week on the radio.' Dick Sharp, tall youth, sings a cowboy tune to own guitar accompaniment and then does his obvious specialty, rope spinning.

Harmonica Jacks, five young men from Buffalo, rambled through three snappy specialties, creating a better impression than many larger pro harmonica groups. Audience liked 'em plenty. Marie Smith puts over 'Stardust' and then romps through a smart dance. Her father, introduced as a surprise, is an astonisher with his fast buck dance. Then the pair get together for competish finale to heavy returns.

Louise Boyd, blonde, in abbreviated sailor garb, is the first Bowes protege out, with a rapid-fire tap, a pleasing opener. Frances Berke starts as straight songstress and then does string of film star imitations. Personable looker, she should devote more to Mae West and Katharine Hepburn takeoffs, really good.

Opening novelty is Marshall Rogers, white-haired veteran, who gets tunes from water tumblers. Clicks with audience and droll patter for encore. Three Rhythmsteers, comely femme dancers, okay in unison stepping and solo.

No. 2 novelty is Tony Russo, tabbed 'Bronx garage man,' with musical sounds he gets from fire extinguisher, tire pump, inner tube and rubber gloves. Too much sameness and some doubt about the music produced. Mario Jullo, coloratura soprano, lives up to the billing of 'girl with a promising voice' in two operatic numbers. Jack Fletcher, boy with happy feet, mops up next.

Bert Frohman, familiar to nitery folks in the east, then socks four popular ballads, with 'Getting Some Fun Out of Life' scoring heaviest. 'Home Town' tune should be supplanted by a livelier one. Then the harmonica Jacks get over big with their music and clowning.

Ted Eddy's orchestra supplants Ted King's house band, off to Albany, and made instant hit at show caught (22). Biz fair. *Wear.*

## ORIENTAL, CHI

*Chicago, April 24.*

*Lewis, Van & Delaney, Beeho Gray, Bobby Short, Five Elgins, Myron Pearl Co., Dorothy Hild Dancers, 'Battle of Broadway' (20th).*

Plenty of good talent and material in this show, though it doesn't add up to strictly good vaude due to lack of variety. Particularly absent is comedy.

Standing out as an excellent novelty is Beeho Gray, who hasn't been around this way in years. The cowboy has a solid turn that will get results in nearly every theatre. He includes good knife throwing and lariat work and is a surefire click, too, with the howling coyote.

Opening are Lewis, Van and Delaney, dancers, the last named a new femme addition to the male twosome. She adds plenty of s.a. and color. The two fellows do best with their whirlwind legomania finish but still build the bulk of their turn on a stair routine, which is paced a bit too slow for solid results. Weak spot is colored kid, Bobby Short, who sings and plays the piano. Uses a production opener, and while okay on pipes and digits is not strong enough to hold down a spot on his own.

Five Elgins are standard hat and Indian club tossers, always dependable. Myron Pearl Co. is a four-person dance act that has nearly everything. Choice of music and wardrobe enhance. Do a flock of Russian stuff. All goes over well.

Business slow supper show Friday (22). *Gold.*

## HIPP, BALTO

*Baltimore, April 24.*

*Abbott & Costello, The Two Jacks, Three Marshalls, Sylvia Harris, Calgary Bros., Gaynor & Ross, Felice Iula's house orch; 'Joy of Living' (RKO).*

Holding over Abbott and Costello, whose network buildup on Kate Smith's show has propelled them into feature billing, current doings maintain a healthy variety pace. Picture, 'Joy of Living' (RKO) is also a holdover.

Fast opening has the Two Jacks in challenge hoofing, boys giving out with very legitimate buck to good returns. The Three Marshalls, two girls and boy in swing vocals, follow with adroitly conceived arrangements, including 'Ti Pi Tin,' 'Joseph, Joseph' and 'Bei Mir Bist du Schoen,' skillfully delivered and encore-pulling.

Abbott and Costello take hold here with a telegraph office bit, expertly handled and sold for laughs. Showmanly timing and pointing of punch lines should lift pair to top-flight recognition. Sylvia Harris, in brief ballet specialty, featuring sock closing spins, is a click.

Calgary Bros. next in stew stuff and tumbling, standard and good for a begoff. Followed by more gagging by Abbott and Costello and a strong finish via Gaynor and Ross, man and woman skating turn, formerly of the Three Cossacks. The usual stuff on a table, effectively lit by overhead spots. Excellent orchestral support by Felice Iula's house orchestra throughout. *Burm.*

## ORPHEUM, L. A.

Los Angeles, April 24.

Blackstone, the magician, at the head of his own unit, is dishing out an hour's magic show here currently that rates high in entertainment value. Replete with showmanship, Blackstone amazes with his dexterity and skill. He utilizes a company of six femmes and a like number of males, has his production elaborately staged and costumed, and scores decisively.

Lot of audience stuff, with the prestidigitator having no trouble getting foils on stage. Femme members of the troupe are on and off frequently, each time in distinctive change of wardrobe. After a series of usual tricks of magic, Blackstone goes into various disappearing acts, in which girls, a horse and finally himself are made to vanish in thin air.

A lighted cabinet, with a girl apparently impaled with the huge lights, a levitation illusion, sawing a woman in two, and various cabinet stunts, in which girls are made to appear as from nowhere, provide a series of breath-taking thrills. Finale is a cabinet disappearance turn in which five girls are produced from small boxes, then made to disappear, with Blackstone, himself, disappearing, only to reappear after a quick change with one of his male aides.

Blackstone's present offering stacks up as one of the best of its kind brought to the Coast in many years. *Edwa.*

## STANLEY, PITT

*Pittsburgh, April 24.*

*George Jessel, Norma Talmadge, Josephine Starr, The Theodores, Amy Arnell, Jack Raymond, Ralph DeAngelis, Tommy Tucker, Dave Broudy's house orch; 'Women Are Like That' (WB).*

They still don't turn out better entertainers than George Jessel. A shrewd showman, a crack comedian and front-rank monologist, Jessel knows every trick. The way he holds a mob is a lesson for any of the stage's present talking singles.

For his current brief fling into the deluxe centers, Jessel is heading his radio unit, which he has under a cooperative sponsorship Sunday evenings. Program comes through WWSW, smallest of five stations here, and doesn't have the listener appeal of bigger outfits, but Jessel's name is nevertheless overcoming that handicap and should be reflected at the box office.

Jessel isn't letting public forget that he was the fellow who went gunning for Jimmie Fidler over the air on the Coast several months ago. At that time the comedian delivered several tirades against the film gossipper for delving into private lives of film stars. Jessel, during his introductory remarks here, again berates the commentator for his practices.

It's a strictly informal show, exactly the sort in which Jessel looks best. He's on practically every minute, working chiefly from the apron, cross-firing with the acts, talking to momma on the inevitable telephone, singing a couple of numbers and getting just folksy with the customers. He does it all, too, with the same crisp, enthusiastic manner that's always been his trademark.

One fault of the layout is it's top-heavy vocally. Best in this department is the nine-year-old Filipino gal, Josephine Starr (New Acts), discovered on the Coast by Jessel only a few months ago and since then built up via the networks. She's a sock, which makes it even tougher on the remaining three pipe-peddlers, Amy Arnell, Jack Raymond and Ralph DeAngelis. Two first-named don't get much of a chance, but DeAngelis has a spot of his own for 'Figaro' but Miss Starr's canarying still gives him too much of a handicap despite excellence of his voice.

Jessel could do with a little more variety in his unit, because there's little from a strict entertainment standpoint, except himself and Miss Starr. Norma Talmadge (Mrs. Jessell), who's also on the air show, carries plenty of name value but that's all. Ohs and ahs are heard all over the place when she puts in an appearance but all she has is a few lines with Jessel, patterned after the usual husband-wife henpeckery. They also bring Miss Starr on for a cute bit, in which Miss Talmadge complies with her request to name the handsome leading men back in her hey-day.

Only remaining turn is The Theodores, with some good-looking ballroomology, winding up with flashy adagio acrobatics. Jessel's also carrying Tommy Tucker, who batons the radio show. Tucker, however, has no band with him, leading Dave Broudy's house crew from stage except during Miss Starr's opening operatic number, when Broudy takes over.

Whole thing is merely a half-hour radio show padded to twice that length with Jessel's showmanship making it hang together. *Cohen.*

## MICHIGAN, DETROIT

*Detroit, April 24.*

*Gilbert Bros. (2), Ada Brown, Boris Karloff, Samuel Bros. (2) & Hayes, Gene Dennis, Eduard Werner's house orch; 'Women Are Like That' (WB).*

Smooth show here currently and nicely diversified through 55 minutes. Topping the menu is Gene Dennis, good femme psychic, brought out of two years' retirement. Unleashes amazing answers to patrons' problems, conveyed to stage by ushers. Added assets are personable appearance and ability to inject a quip here and there to liven up proceedings.

Boris Karloff is a bit disappointing, chiefly through unfortunate selection of dramatic vehicle, Edgar Allan Poe's 'Telltale Heart.' Characterization is far from being the grotesque stuff patrons would naturally expect, but Karloff does nicely with that at hand.

Expert hoofing is turned in by the Samuels Bros. and Hayes, two males and ditto femmes. Military number is forte, while outstanding individual bit is offered by Harriet Hayes in an exceptionally well-executed acro. Gilbert Brothers (2) contribute nifty tricks on the horizontal bar and Ada Brown, sepian songstress, comes through with several swingy tunes, topped off with a pleasing terp.

Eduard Werner's house orchestra overtures jazz tunes with accompanying slides. Good crowd on deck at early show Friday evening (22). *Pete.*

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**Russ Morgan** will play a private party for Pierre S. DuPont, 3d, next Tuesday (3) at the Waterbury (Conn.) Country Club.

# Variety Bills

NEXT WEEK (May 2)
THIS WEEK (April 25)

Numerals in connection with bills below indicate o show, whether full or split week

## RKO

**ALBANY**
**Bleecker Hall (22)**
Kudabux
**BOSTON**
**Boston (28)**
Mae West
Moore & Revel
Jack Powell
Milton Watson
Medlay & Dupree
Juanita & Champs
(21)
Waikiki Nights
**Memorial ( )**
4 Ortons
Nicholas Bros
4 Kraddocks
(21)
Nonchalante
Dixie Dunbar
Tommy Wonder
Jackie Cooper
Bart Wheeler Co
12 Aristocrats
12 Rockets
**CHICAGO**
**Palace (29)**
12 Aristocrats
Park & Clifford
Dixie Dunbar
Tommy Wonder
Red Skelton
(22)
5 Jansleys
Jane Pickens
Frank Gaby
Holland & Hart
**CINCINNATI**
**Shubert (22)**
Fred Waring Orc
**CLEVELAND**
**Palace (29)**
Wayne King Orc
(22)
Monroe Bros
Jack Lenny
Statler 2
Judy Canova Co
Dr Hoffman
Minnevitch Co
**DAYTON**
**Colonial (22)**
Major Bowes Co

WITH
9TH WEEK
JACK POWELL
Dir.: LEDDY & SMITH

## Loew

**NEW YORK CITY**
**State (28)**
Buddy Rogers Orc
**EVANSVILLE**
**Majestic ( )**
Town Scandals
**PITTSBURGH**
**Stanley (29)**
Cab Calloway Orc
**WASHINGTON**
**Capitol (29)**
George Jessel
Norma Talmadge

## Paramount

**NEW YORK CITY**
**Paramount (27)**
Kay Kyser Orc
**AUSTIN**
**Paramount (5-7)**
Pan Amer Rev
**BUFFALO**
**Buffalo (29)**
Tommy Dorsey Orc
Johnny Woods
Phillips & Kohl
**CHICAGO**
**Chicago (29)**
Vic Hyde
**DETROIT**
**Michigan (29)**
Wells & 4 Fays
John Tio
Oxford 3
Gene Dennis
**FT. WORTH**
**Worth (29-2)**
Pan Amer Rev
**HOUSTON**
**Metropolitan ( )**
Casa Loma Orc
**MONTREAL**
**Loew's (29)**
International Rev
**NO. CAROLINA**
**Charlotte (4-5)**
H'wood Hotel Rev
**SO. CAROLINA**
**Charleston (2-3)**
H'wood Hotel Rev
**SO. CAROLINA**
**Columbia (29-30)**
H'wood Hotel Rev

## Warner

**ERIE**
**Columbia (2-4)**
N T G Rev
**PHILADELPHIA**
**Earle (29)**
Guy Lombardo Orc
(22)
Cab Calloway Orc
**PITTSBURGH**
**Stanley (22)**
George Jessel
Norma Talmadge
Tommy Tucker Co
**WASHINGTON**
**Earle (29)**
Al Pearce Co
(22)
Virginians
Tommy Riggs
3 Sailors
Felovis
Alphonse Berg
**YORK**
**Strand (29-30)**
Radio Ramblers

## Independent

**INDIANAPOLIS**
**Lyric (29)**
Johnny Burke
Monroe Bros
Gins, DeQ & Lewis
Schichtl's Co
G Gardner & Eileen
12 Bella Debs
(22)
Major Bowes Co

## London

### Week of April 25

**Dominion**
Leslie Jeffries 3
**CAMDEN TOWN**
**Gaumont**
Bemand's Pigeons
Kent & Paddy
Harry Vadden
**CLAPHAM**
**Granada**
Billy Cotton Bd
**EAST HAM**
**Granada**
Equillo Bros
Mae Wynne 4
Ray Vaughn
Marcus Bd
**GREENWICH**
**Granada**
Equillo Bros
Mae Wynne 4
Ray Vaughan
Marcus Bd
**ISLINGTON**
**Blue Hall**
Bemand's Pigeons
3 Manley Bros
**LEYTONSTONE**
**Rialto**
Alec Pleon
Neuman, W & Y
Bil & Bil
Fields Bd
**TOOTING**
**Granada**
Billy Cotton Bd
**WALTHAMSTOW**
**Granada**
Alec Pleon
Neuman, W & Y
Bil & Bil
Fields Bd
**WOOLWICH**
**Granada**
Eddie Gray
Dagenham
Geo Latler
DeHaven & Page
Conrad's Pigeons
Leon & Lucette
Bobby Howell Bd

## Provincial

### Week of April 25

**ABERDEEN**
**Tivoli**
'Giggles & Gls'
Jack Anthony
Bond Rowell
Noller & Clare
Hilda Meacham
Jack Love
Jay Morelle
C & N Kay
Tommy Graham
Fayre 4
12 S Fisher Gls
3 Aristocrats
Hilda Heath
David Dale
**EDINBU**
**Royal**
Ching Wu Ca
Donaghue & Rams'y
Padesia Bros
Stella Marie Sis
Les Kareovas
Eddie Peabody
Brodia & Steel
**GLASGOW**
**Pavilion**
F'rsythe Seam'n & F
Armour Boys
Brilliant Blondes
Bertie Starmer
Les Roes
Queenie Isaacs
4 Beachcombers
Ivy Hadfield
Babbie Rowntree
Johnny Moroney
Society Swingers Bd
**LIVERPOOL**
**Shakespeare**
Noni & Horace
F W Shaw & West'n
Kondo & Hanako
3 Stooges & Oaks
Jumel & Arnley
Kemble Kean

# Cabaret Bills

## NEW YORK CITY

**Barney Gallant's**
Marilyn Gaynor
Mary Nevills
Terrace 3
Prof Kamm
Dianne Parrish

**Barrel of Fun**
Snub Mosely Orc
Clayton & Dunn
Gertrude Dwyer
Bennett Green

**Bertolotti's**
Don Sylvio Orc
Angelo's Rhu'ba Bd
Ivy Cole
June Carroll
Anna White
3 Little Sachs
Laura Deane
Renee Villon

**It's Gay**
Ed Furman
Billy Lorraine
Margaret Young
Joe Howard
Rudy Madison
Ethel Gilbert
Spike Harrison
Bernie Grauer
Henry LaMarr

**Boulevard Tavern (Elmhurst, L. I.)**
Jan Fredrice Orc
Johnny Morgan
Helen Palmer
St Clare & Yvonne
Marley & Eva
Cameon Crosby
Harriet Brent

**Cafe Creole**
Skeete Tolbert Orc
Amanda Randolph
Billy Hayward
Cliff Allen
Bebe Stone
Amy Spencer
Harrington Guy

**Casa M nna**
Vincent Lopez Orc
Helen Morgan
Paul Sydell
Harriet Hoctor
Georgie Tapps
Allen & Kent

**Chateau Moderne**
Consuelo Flowerton
Angela Velez

**Chez Firehouse**
Al Evans Orc
John Hoysradt
Massey & Miller
Poleon Gardner

**Club Cavalier**
Chapple Erante Orc
Lou Taylor
Peggy O'Neill
Ramona
Bothw'l Browne Gls

**Club 18**
G Andrews Orc
Jack White
Pat Harrington
June Lorraine
Frankie Hyers
Leila Gaynes
Jerry Kruger
Doc R E Lee
1-R'd Jackson
Willie Grogan
Julia

**Club Gaucho**
Los Gaucho Orc
Dimitri & Virgil
Zervely
Trini Plaza
Nanette Vallon

**Cotton Club**
Duke Ellington Orc
Aida Ward
Peters Sis
Peg-Leg Bates
Mae Johnson
Alan & Anise
Chocolateers

**l Bongo**
Jack Mayo Orc
O de la Rosa Orc
Hilda Salazar
Elena & Antonio
Eduardo Brito

**El Mor ro**
Ernie Holst Orc

**Famous Door**
Louis Prima Orc
Oshins & Lessy
Rose Blane

**Footlights Club**
Smokey Joe Orc
Carrie Finnel
John Beck
Grace Morgan
Lee Turk
Mme La Duchessa

**Garbo**
Francis Hayes Orc
Baron Glydenkrone
Mickey Feeley
Marcella Wellington
Elaine & Henry

**Greenwich Village Casino**
Ray O'Hara Orc
Aileen Cook
Helen & Tam Nip
Gwen Mario
Ruth Hazen
Valerie Dumont
Joey Campo

**Havana-Madrid**
Nano Rodrigo Orc
Rosita Ortega
Juan Martinez
Antonita
Carlo & Carlita
Juan Hernandez
Rosita Ramos

**Hickory House**
Joe Marsala Orc
Peggy Newton
3 Peppers

**Hotel Ambassador**
Dick Gasparre Orc
Beauvell & Tova
Adelaide Moffett

**Hotel Astor**
Sande Williams Orc
M Raginsky Orc

**Hotel Belmont-Plaza**
Bernie Dolan Orc
Terry Lawlor
Jean Mona
Hal Richman

**Hotel Biltmore**
Horace Heidt Orc
Charles Goodman
Red Farrington
Lysbeth Hughes
4 Kings
Kajar

**otel Bossert (Brooklyn)**
Will McCune Orc

**Hotel Commodore**
Red Norvo Orc
Mildred Bailey
Terry Allen

**Hotel Edison**
Blue Barron Orc

**Hotel Essex House**
Charles Baum Orc
Vee Lawnhurst

**Hotel Gov. Clinton**
Eddie Lane Orc

**Hotel Half Moon (Brooklyn)**
Ken Casey Orc
Betty Williams
Lole Rogers
Larry Stewert

**Hotel Lexington**
Ray Kinney Orc
Pualani
Mapua
Mepeuana

**Hotel Lincoln**
Isham Jones Orc
Kathleen Lane

**Hotel McAlpin**
J Messner Orc
Jeanne D'Arcy
Gonzales & Mennen

**Hotel New Yorker**
Jimmy Dorsey Orc
Bob Eberle
June Richmond
Rose McLean
Charles Uksila
Roberta & Farley
Alfred Trenkler
Ronald Roberts
Bobbie Dorce
May Judels
DuReine Farley
DeLories Ziegfeld
Eric Walt

**Hotel Park Central**
Jerry Blaine Orc
Le Zorros
Walter Donahue
Geo Brown
Ann Page

**Hotel Pennsylvania**
Benny Goodman Or

**otel Piccadilly**
Jeno Bartal Orc

**Hotel Plaza**
Pancho Orc
Paul Draper

**Hotel Roosevelt**
Orrin Tucker Orc
Bonnie Baker
Bailey Sis
Morton Wells

**Hotel Savoy-Plaza**
Emile Petti Orc
Lew Parkerson
Dwight Fiske

**Hotel Shelton**
Ed Mayehoff Orc

**Hotel St. George (Brooklyn)**
Harold Stern Orc

**Hotel St. Moritz**
Ralph Gonzales Orc
Basil Fomeen Orc
Claire Vermonte
Fawn & Jordon

**Hotel St. Regis**
Emil Coleman Orc
C Codalban Orc
Vanda Mara
Murie & Floria

**Hotel Taft**
Geo Hall Orc
Dolly Dawn

**Hotel Waldorf-Astoria**
Leo Reisman Orc
Xavier Cugat Orc
Eve Symington
Paul Hankon
Nina Whitney

**International Casino**
Yascha Bunchuk Or
Gene Fosdick Orc
Vincent Bragale Or
Gaudsmith Bros
Eddie McMullen
Bobby May
C' de la Grange
Arlini
Maurice & Cranco
Jacqueline Mignac
Emilio Gregoire

**Jimmy Kelly's**
Joe Capello Orc
Allan Small Orc
Mary Lane
John Rockwood
Tanya
Gene Walters
Peggy de la Plante

**Kit Kat Club**
Leroy Haines Orc
Charlotoers
Pearl Baines
Teddy Hale

**Larue**
Eddie Davis Orc
Joseph Smith Orc
Julie Gillespie
Graziella Parraga

**La Conga**
E Madriguera Orc
Patricia Gilmore

**Laurel-in-the-Pines (Lakewood, N. J.)**
Howard Woods Orc

**Le Coq Rouge**
Nick Vouzen Orc
Geo Sterney Orc
Murray Heyman

**Le Mirage**
Harry Horton Orc
Maryon Dale
Rudolph & Xandra
Bernice Ackerman
Mary Jane Brown
Tiedale 3

**Leon & Eddie's**
Lou Martin Orc
Eddie Davis
Alfredo & Dolores
Helene Standish
Burton De Vant

**Le Ruban Bleu**
Hope Emerson
Lotte Lenya
Elsie Houston
Jimmy Daniels
Bowers & Walter

**Little Old New York**
Jack Laurie
Phoebe Hightower
Jack Polmer
Mickey Mallory
Marie Marlow
Billie Chester
Esther Martin
Dolores Welson
Maxie Lengel

**Martin's**
Angel Pagan Orc
Elena Cortez
Pippo
E Villanueva

**Nut Club**
Henry Jerome Orc
Ralph Lewis
Helen Shepard
Blanche Graym
Iris Moore
Virginia Grimes
Francois Brouillard
Adelaida Raleigh
Maude Carroll

**Old Roumanian**
Michael Weiner Orc
Yourly Yourloff
Helen Shaw
Sammy Morris
Rosalie Ray
Sadie Banks
Ethel Bennett
Ada Lubina
Bonnie De Campe

**Onyx Club**
Stuff Smith Orc

**Paradise**
Bunny Berigan Orc
Lionel Rand Orc
Barbara Parks
K & R Paige
Johnny Coy
Alan Carney
Liberto & Owens
Shannon Dean
4 McNallie Sis

**Place Elegante**
W. Palermo Orc
Bill Farrell
Ernest Franz
Vincent DeCosta
Rex Gavitta

**Plantation Club**
Ovie Alston Orc
Lee Simmons
Ralph Brown
Avon Long
Morton & Margo
Lawrence Hill
Anderson Sis

**Queen Mary**
Hal Hope Orc
Ray Jones
Ann White
Sid Manish
Katherine Mayfield
Wilson Lang

**Queens Terrace (Woodside, L. I.)**
Jack Melvin Orc
Deauville Boys
Harriet Cross
Rosalie Roy
Phyllis Dare
Adams & Nevins

**Radio anks' Club**
Frank Bessinger
Jerry White
Gracie Morgan
Gus Wicke
Jimmy Burns
Fred Bishop
Mommy Jennies
Joe Gallagher

**Rainbow Grill**
Ben Cutler Orc
Merlynn & Michael

**Rainbow Room**
Eddie LeBaron Orc
Ruby Newman Orc
Raye & Naldi
Rosita Rios
John Fraser
Rey Morton

**Roumanian Village**
Charley Swartz Orc
Ludwig Satz
Henry Berman
Leo Fuld
Henrich Cross
Dolorie Rosina
Gypsy Nina

**Russian**
Yasha Detsko Orc
Anna Kouznetzova
Mara
Sinda Voella
Alex Bolshakoff
Eli Spivack
Zacher Martinoff

**Russian Kretchma**
Nicholas Matthey Or
Michel Michon
Nadia Sokoloskaya
Marusia Sava
Simeon Karavaeff

**len Royal**
Barry Winton Orc
J Dominguez Orc
Ceperton & Col'mb's

**Stork Club**
Bobby Parks Orc
Nilo Menendez Orc

**Tavern-on-Green**
Hughie Barrett Orc

**Versailles**
M Bergere Orc
Gus Martel Orc
Sheila Barrett

**Village Barn**
Johnny Johnson Or
Tom Emerson Co
Larry McMahon
Gardner & Kane
Cyril Mansfield
Kollegiate Kids

**Village Brewe**
Lou Carroll Orc
Jimmy Audubon
Pat Kilpatrick

**Whirling Top**
Geo Morris Orc
Ramon Ringo
Stephen Harri
Marta Cerny

**Wivel**
Charley Bowman Or
Bob Lea
Patricia Riley
Letty Kemble
Ted Lester
Rones Villon
Mildred Jordon

**885 Club**
Paul Rosini
Gladys Crane
Susan Cantu
Gloria Faye
J Honnert
Nina Rinaldo Orc

**Gay 90's**
Lew King
Dolores Green
Skippy Reals
Bobbie Conner
Jules Novitt Orc
Colleen

**Harry's N.Y. Cabaret**
Chas Engles Orc
Jack Irving
Art Buckley
Al Wagner
Dorothy Johnston
Laurens Nevell
Joe & Lonett
Harry Linden
Billy Meyers
Mystic Vibra

**Hi-Hat**
Willie Shore
Joan Abbott
Pal-Mar Gls
Berni & Jovenne
Eddie Zeigler
Sid Lang Orc

**Hotel Bismarck (Walnut Room)**
Eddie Varzos Orc
Marion Holmes
Billy Lee
2 Eileens
Frank Payne
Young & Sloan

**Hotel Brevoort**
Florence Schubert
Bens Laevin
Joe Parlato

**Hotel Congress (Casino)**
N T G Rev

**Drake Hotel (Gold Coast Room)**
Hal Kemp Orc
Rosalind Marquis
Elaine & Berrie
Chas Carrer
Sunny O'Dea

**Grand Terrace**
Andy Kirk Orc
Kathryn Perry
Billy Adams

**Edgewater Beach Hotel (Marine Room)**
Griff Williams Orc
Monte Kelly
Buddy Moreno
Nob 3

**Hotel Palmer House (Empire Room)**
Maurice & Cordoba
Gali-Gali
Dorothy King
Stanley Hickman
Bernie Cummins Or
Abbott Dancers

**Hotel Sherman (College Inn)**
Novelle Bros
Bob Bromley
Stadler & Rose
Louis Panico Orc

**Hotel Stevens (Continental Room)**
Sterling Young Orc

**Rose Bowl**
Earl Rickard
Mickey Dunn
Paulette LaPierre
Marcella Gardner
Peggy Lee
Toni Ferria
John Huret

**Royale Frolic**
Reis Bros
Dolly Kay
Emil & Evelyn
Dawn & Darrow
Al Turk Bd
Mark Fisher Orc
Sid Tomack
Anita Jacobi
Jack Hilliar
3 Trojans

**Three Deuces**
Ray Eldridge Orc
Cleon Brown
Gladys Palmer
Fred Reed
Monette Moore

**606 Club**
Billy Carr
Marion Miller
Tripoli 3
Mary Grant
Boots Burns
Marne

## LOS ANGELES

**all**
Charlie Lawrence
Bruz Fletcher

**Beverly Wilshire**
Henry King Orc

**iltmore**
Carol King
Paul Gordon
Dean Janis
Jonquin Garay
Peich & Deauville
Frank Trombar Orc

**Cafe de Paree**
Paula Mann
Hardy & Warner
Jay Whidden Orc

**Cafe International**
Dudley Bickenson
Rutledge & Taylor
Lee Hite Orc
Evelyn Farney
Princess Luana
Earl & Francis

**Cafe la Maze**
Donna Gardan
Eliane Dahl
Don Roland Orc

**Clover Club**
Bob Grant Orc

**Cocoanut Grove**
Borgen & McCarthy
Alec Templeton
Herbie Kay Orc

**Hawaiian Paradise Club**
Aggie Auld
Hack Shaw
Kaipo & Kuulei
Diana Toy
Dorothy Vernick
Lolna Ala
Eddie Bush 3
Dick McIntyre
Sol Hapi Orc

**It Cafe**
Louis Chleen Orc
Bill Hoffman

**La Conga**
Lou Bring Orc
Chiquito
Eduardo Duranda
Rhumba Bd

**Little Club**
Jane Jones
Bessie
Tiny Meredith
Bee Keener
Paul Kendall
Helen Warner

**Omar's Du**
Lee Leman
Ruth Seeley
Edith Davis
Eddy & Taura
G Redmonds Orc

**Pacific Sunset Club**
Peggy Gartner
Saracino
Archer Sis
Vivian Leo
Wes Gillan
Beach Boys
Armando & Lita
Kenny Gartner

**Palomar**
Cathlyn Miller
Emily Lane
Biltmorettes
Ozzie Nelson Orc
Hudson Metzger Gls

**Paris Inn**
Gagnon & Brighton
Henry Monet
Ken Henryson
Avonda
Marsha Noleen
Dominic Columbo
Frank Sortino Orc
B Jeanne Co

**P Selznick's Club**
Tod Clair
Maxine Sullivan
Betty Bryant
Francis Stevens
Harpers Swing 6
Bill Rankin

**Seven Seas**
Sal Bright Orc
Lily Gibson
Honolulu Dancers
Kay Silver

**merset House**
Howard Wolfers
Pat Kay
Jack Owens

**Tapsy**
Arielle Kitteridge
Lenore Thorne
Virginia Case
Irene Harrington
3 Ryan Bros
Leona Rice
Maxine Winga
Lorraine Gerard
Jan Garber Orc

**Trocadero**
Garwood Van Orc

**V Hugo Restaurant**
Skinny Ennis Orc

**Blackhawk**
Bob Crosby
Marion Mann
Ronald & Roberts

**Chez Paree**
Judy Starr
Edna & J Torrence
Yacht Club Boys
Al Bernie
Louis DePron
Rosalind Marquis
Lou Breese Orc
Don Huston
Don Orlando Orc

**Colosimos**
Henri Gendron Orc
Gus Van
Yvette Rugel
Franchon & F'rch'a
Eddie White

## PHILADELPHIA

**Anchorage**
Patti Crawford
Ann Helm
Eddie Glade
Stanley Fields
Lew Perry
Johnny Graff Orc

**Arcadia Int'l**
Music Weavers Orc
Happy Felton Orc
Armand Camgros
Sammy Sandora
3 Reasons
Mayfair Girls
Kmar
Russell Swann
Eleanore Eberle
Ed Glade
Stanley Fields

**Bellevue-Stratford (Planet Room)**
Meyer Davis Orc

**(Burgundy Room)**
Frank Juele Orc

**Ben Franklin Hotel (Georgian Room)**
Leo Zollo Orc

**Benny the Bum's**
Deloyd McKay
Harry Dobbs Orc
Fifi D'Orsay
Stanley 2
Jean Sargent

**Cedarwood Inn (Malaga, N. J.)**
Carman
Edythe Hess Orc

**Club 15**
Dick Thomas
Jerry Dalmar Orc
Al Dee
Pepper Garat
Barbara Stewart
Jean Niles
Billie France

**Club Parakeet**
Teeela Edwards
Barbara Jean
Doris Fields
Al Wilson
Maina Leonard
Emma Stouck
Fran Caswell
Bill Thornton Orc

**Embassy Club**
Barbara Parks
Violeta & Rosecta
Denise
Wynn Paterson
Bert Clemoux
Pedro Blanco Orc
Cliff Hall
Lolita Cordoba

**Evergreen Casino**
Corday & Triavo
Kathleen May
Kay King
Chester Dolphin
Marion Kingston
Jack Rich
Willie Winston
Ann Collins

**ollywood Cafe**
Grace O'Hara
Billy Hays Orc
Jackson & Clifford
Emerald Sis
4 H'wood Blossoms
Mickey McWilliams

**Hotel Adelphia (Cafe Marguery)**
Bob Roltnor
Joe Frasetto Orc
H & R Williams
Jim & M Kennedy
Allan & Kent
June Mercer
Dorothy Higgins
Ruth Rosselyn
Gertrude Hope
Yvonne Hart
Bob Ripa
Earlyn, Wallace
Don Angelino Orc

**Lamb's Tavern**
Larry Mell Orc

**Little Rathskeller**
Jack Griffin Orc
3 B'way Knights
Harriet Crass
Beck, Melton & B
Nancy Lee
Marty Bohn

**Open Door Cafe**
Bob Ridley
Phyllis Andre
Francis White
Jimmy Rossi
Irene Cottrell
Russ 2
Maude & Ethel
Scotty Middleton
Victor Hugo Orc

**Palumbo's**
Bobby Morro Orc
Eddie Thomas
Lee Bartel
6 Rhythm Darlings
Lillian Russo
Les & Kitty Barnes
Marie Heitz
Vernon 2

**Stamp's Cafe**
LaCosta & Lolita
Vic Earlson
Beth Calvert
Gay Sis
Jack Hutchinson
Irving Braslow Orc

**Silver Lake Inn (Clementon)**
Pauline Jane
Harold Lintam
Jackie Smith
Suli Sin
Mickey Familent Or
Kahn & Da Pinto

**Parrish Cafe**
Happy Jack
Lady Armstrong
Stanley Robeson Or
Arlena Batteaste
George Craft
Baby Lewis

**Dutkin's Rathskeller**
P & L Reat
Bernard & Kane
Peg Martin
Victor Nelson Orc
Frank Ponti

**21 Club**
Catherine Hayt
Mimi Rollins
Elaina Martin
Jerry Brandon

**20th Century**
Frankie Hyres
Leon Prima Orc
Walter Long
Nolan & Woodruff
Dolnree Merrill
Wally Wanger Gls

**Walton Roof**
Jeno Danath Orc
Vincent Rizzo Orc
Paul Neff Orc
Willie & E Haward
Chaney & Fox
Paul Rosini
Candoa Bros
Marjorie Gainsw'rth
Agnes Tolla

**Weber's Hof ran (Camden)**
Louis Chalkin Orc
Ray Miller
Pahsmahaski
Wig Tr
D & B Lana
Jack Moss
Sepple Zintio
Int'l Instrumental 2
Sid Golden
Eldaradina
Ilse Hart

**Ubangi Clu**
Pauline Bryant
Lucky Millinder Or
Trevor Bacon
Herb Cnies
Daisy Winchester
Hazel Callaway
Miller Bros & Ford

**Yacht Club**
Babe LaTour
Doris Shea
Dolly Vaughan
Margie Drummond
Patricia Robinson
Marcia Lee
Yacht Club Girls O

**Yorklawne Tavern**
Frank Harrigan
Frank Staub Orc

## BOSTON

**Bagdad Club**
Doris Riley
Peggy O'Neil
Leanda & Lolita
Adele Laneau

**Bel Madrid (Lowell)**
Sonny Bubbles Orc
Ginger Britton
Jean LeRae
Joe Ross
Frank Cronin
Fred Hickey

**Brown Derby**
Jimmie McHale Orc
Scott & Douglas
Rose Rayner
Mary Lou & S
Lynne Borne
Walter Donahue
Sylvia Thompson

**Chopstick**
Pearly Stevens Orc
Larry Wallace
Lorraine Duo
Perry & Deacon

**Club Mayfair**
Lewis Bonick Orc
Dawn & Darrow
Dick & Dot Jones
Mystics 2
Frank Hall
4 Kings

**Cocoanut Grove**
Billy Lossez Orc
Billy Payne
Chas Mazone Co 5
Perk & Lane
Al Richer

**Congo**
Eddie Deas Orc
Rollins & Rollins
Sweety Pie
Graves
Sally Vine
Buddy Lewis
Rose Chapman

**Crawford House**
Daguchi Japs
Billy Slona
Mae Brown
Bessie Profitt
Pitts & Marie
Ford Gls

**Famous Door**
Herbert Marsh Orc
Alice St John
Ruth Colburn
Norma Mitchell
Walter Cole
Johnny Cawthorne

**Hotel Bradford (Penthouse)**
Frankie Ward Orc
Carmen Trudeau
Muriel Page
Medleca & Michael
Sherman & McVey
Lawrence Spartan

**Hotel Copley Plaza (Shearton Room)**
Irwin Gilbert Orc

**Hotel Copley Plaza (Merry-Go-Round)**
Jimmy Avalone Or

**Hotel Copley Square**
Vin Vincent Orc
Dan Sweeney
Helena Carlson

**Hotel Moorland**
Bob Hardy Orc

**Hotel Statler (Terrace Room)**
Nye Mayhew Orc
Linda Keene
Buddy Welcome

**(Cafe Rouge)**
S Cavicchio Orc

**Hotel Westminster (Blue Room)**
Dick Stutz Orc
Honey Murray
Rose Rolland
Tom Hardy
Leo & Rita

**Lev**
Chick Webb Orc
Ella Fitzgerald

**Normandie Ballr'**
Lawrence Welk Orc
Jerry Burke
Walter Bloom
Kirby Brooks

**Sevil**
Don Rico Orc

**Southland**
Lawrence Welk Orc
Jerry Burke
Walter Bloom
Kirby Brooks

**Steuben's**
Jack Fisher Orc
Janet Carol
Chadwicks 2
Kane Bros
Finnoy & Rogers
Marie King

**Tow**
Vaughn Monr

**Tremont Plaza**
Gene Nickerson Orc

## DETROIT

**Book-Cadillac Hotel (Book Casino)**
Ethel Shutta
4 Bachelors
Enrica & Novello
Ran lde Orc

**(Motor Bar)**
Peter Kent Orc
Connie Gates

**Chalet**
Harry Collett Orc
Armando & Merla
Carmine DiGiovanni
Dee Morse
Elenore Rica

**Commodore Club**
Carroll & Gorman
Sammy Dibert Orc
Madelyn Baker
Don Arden
Commodorables 6

**ub 29**
Arnold & Yvonne
Ruth Jevor
Fritzy Lure
Marge Shields
Lenore Rico
Wotkins 2
Betty Coeds 6
Josephine Campbell
Frank Rapp Orc

**Cocoanut Palms**
Phil Skillman Orc
Jimmy Nolan
Allworth & Yvonne
Starr & Maxine
Frank Tracy
Rockets 12

**Eastwood Gardens**
Geo Kavanagh Orc
Del Evans
Corky McCormick

**Fronte c Casino**
Zorine
Fred Merrill
Fritzi Lure
Huff & Loretta
Orlando
Von Hahn & DeN

**Hotel Statler (Terrace Room)**
Jack Marshard Orc
Harris & Shore
Jack Berry

**Jefferson Beach**
Jimmy Raschel Or
Lazy Bones Bacon

**Northwood Inn**
Ray Carlin Orc
La Rue Parker
Monty Wysong
Maryce Wendlin
Eddie Noll
Marina Nolan
Bertray Sis

**Powatan**
Carlye Sis
Johnny Howard
3 Orchids
June Havoc
4 Debutantes
Music Masters Orc

**lantation**
Bill Walker
Julia Hunter
Rhythm Pals 2
Warren Patterson
Brown Belles 8
Cecil Lee Orc

**Saks**
Les Backer Orc
Viscounts 3
Grace Traver
Bert Nolan
Kay Lasalle
Edward & Argela

**Ten-Forty Club**
Glenn Dale
Florence & Remoa
Harriet Peebles
Adorables (6)
Jimmy Nolan
Coyle McKay Orc

**Webster Hall (Cocktail Grill)**
Art Mooney Orc
Charles Auld
Al Nally
Rase & Ray Lyte
Dick Tansley
Betty Stevenson

# *Big Biz, Orchs*

(Continued from page 49)

leaves band unfettered. Last item is pretty much a prerequisite these days since 'front men' are nearly extinct except for few ace showmen types. Slogans, stunts, etc., are also part of band makeup these days requiring thought.

### Bookers vs. Managers

Majority of personal reps wor n a percentage, particularly those who are with bands from the start. Some work on salaries, and all are hated and underplayed by booking offices who regard them as back-slapping parasites. Bands are influenced to drop same by bookers.

Substantiating the brushoff met when there are too many children to manage is fact that some smaller bands are kept busy through workings of bookers, although they are not within the organization. Some of newer small fry have taken managers on who manage through regular calls to bookers on open dates to keep their single properties busy. Notification of a specific open date and request for filler is frequently met with okays. Booking office crews are often so close to the forest they can't see the trees (their own long lists) and acquiesce on split commish basis.

Newcomer bands ar going for the management or organizational setup. Gene Krupa, Freddy Goodman (Benny's frere), Jerry Livingstone, revived Teddy King, Jerry Blaine, et al., have adopted idea.

# DEAD PLAYWRIGHTS ALIVE

## Catholic Actors Honor George M., 'The First Person of the Theatre'

By JACK PULASKI

'The first person of the American theatre,' Dan Healy, president of the Catholic Actors Guild, said of George M. Cohan at a dinner in the star's honor, Sunday night (24). Dais at the Astor was peopled with orators, some of the clergy, some high in politics, some found on the stage and writing arts.

There were references to Jerry Cohan and others of the acting family, which impelled the honored guest to repeat the curtain speech he has used for 25 years—'My mother thanks you, my father thanks you . . .' with a catch in his throat.

Cohan had hurried down from the ball game to slip into his dinner coat and utter an extemporaneous speech, one of his best after-dinner appearances: 'This is all very thrilling, very wonderful, for I think it is more a tribute to my father, the first president of the guild. I've never had such a build-up. You look for a speech from a song and dance man, but I didn't write one.

'As a matter of fact I never started to write a second act until the first was in rehearsal for a week. I always wanted to make a good speech, always wanted to play a good game of pool, but never quite made the grade. I'm glad to work for Sam H. Harris ('I'd Rather Be Right')—he worked for me for 15 years, until he found it out. When we started in show business it wasn't all easy sailing, in fact when the first show started rehearsing we were broke. I asked by father's advice. He said,

(Continued on page 58)

## MULL MGR. REP ON CUTS BOARD

Manager representation on the Actors Equity Assn. cut board is believed to have been partially settled last week at a conference between James Reilly, new executive-secretary of the League of N. Y. Theatres, and Paul Dullzell, executive-secretary of the association. Cuts board acts when producers seek reduction of cast salaries when shows are approaching the end of a run or when business no longer turns a profit.

Equity is reported to favor the idea of managerial participation in the cuts board activities. But as yet the league has not taken action on the idea nor has it been formally presented to Equity. Council would have to approve the plan.

Equity's action last week to try out the new two-weeks-notice rule over managerial objection is regarded as a setback for the league. Rule precents managers from dismissing players for the purpose of engaging others at lower salaries. Managers contend that the new regulation virtually makes the two-week notice practice obsolete, but Equity claims there were abuses of the rules and that some managers took advantage of players.

Dullzell advised Reilly, however, that Equity does not wish to make it more difficult to produce plays and is willing to facilitate such activities. Still, it proposes to protect members as much as possible.

## EDGAR SMITH'S ESTATE GOES TO HIS SON, E. N.

Edgar ixon Smith, of 36-14 208th street, Bayside, Queens, is to receive the estate of his father, Edgar cPhail Smith, former actor and playwright, who died March 8, according to the will filed in the Queens surrogate's office, Jamaica, N. Y.

His personal estate is valued at $1,500, exclusive of plays, songs and dramatic compositions, which may produce royalties for the benefit of a son.

### Last-Minute Jitters

For the last performance of 'Brother Rat' at the Ambassador, N. Y., last Saturday night (23), co-authors John Monks, Jr., and Fred Finkelhoff made up and went on as extras in one scene. Both were nervous just before their entrance, but they weren't recognized and managed to get off without pulling down the scenery.

Carl Fisher, general manager for producer George Abbott, was an offstage voice for the performance, but was so excited he went soprano and couldn't be heard.

## PROPOSE LEGIT TOUR FOR 'BRAVO'

Legit tour is proposed for 'Bravo,' the night spot show in its final week at the International Casino, N. Y. It was produced by Pierre Sandrim and Jacques Charles of Paris. Gertrude Hoffman virtually had the deal closed, with J. J. Shubert backing, but the latter suddenly sailed for Europe last week and the 'Bravo' plans were left pending.

If the club show goes to the road it would principally play Shubert theatres in the keys at a $2.20 top, the idea being to present the show in ball parks later at $1.10 top. So few musical shows have played the road in recent seasons that 'Bravo' is expected to prove something of a natural.

Ice plant is being readied for the club's next show, tentatively known as the 'International Ice Frolics.'

## Owen Davis, Jr., Out Of Strawhat This Yr. In Favor of Air Spot

Hollywood, April 26.

Owen Davis, Jr., is turning over his stock in the Lakewood theatre, Skowhegan, Me., to Melville Burke.

He is passing up strawhats, after eight summers, for Coast radio job with Pond's 'Those We Love' serial. He's en route to New York to wash up the deal.

## GILLMORE AND TURNER RETURN FROM CRUISE

Frank Gillmore, former Equity head and now executive director of the Associated Actors and Artistes of America, and Paul Turner its counsel, returned Monday (25) from a Caribbean vacation cruise.

During the former's absence the organization's affairs were handled by an executive committee composed of Mrs. Florence Marston, of the Screen Actors Guild; Ralph Whitehead, of the American Federation of Actors, and Paul Dullzell, of Actors Equity.

### Midwest's S.S. Strawhat

Chicago, April 26.

More than 75% of plays submitted for production these days are themed on social significance. This percentage has been noted by Thoda Cocroft, who will operate the first strawhat of the midwest when she opens the Coach House theatre in Oconomowoc, Wis., in July.

## CLASSIC REVIVALS AGAIN THE VOGUE

**Eight of Nine Such Productions So Far This Season Are Posthumousers—Known Merit a Factor, Plus No-Royalty Angle—Few Clicks, However, Even Among the 'Masterpieces'—Shakespeare Still Broadway's No. 1 Dramatist**

### NEXT SEASON, TOO?

Dead playwrights are having a big season on Broadway. Eight of the nine revivals so far have been posthumous productions.

With roughly 10% of the plays produced (exclusive of musicals) in the revival category, it would appear that legit managers consider a revival a safer bet than chancing an untried or dubious script. There were 12 revivals last season, as compared with 10 (one to come) so far this season. Eight, the same number, of the 1936-37 crop were posthumousers.

From the manager's point of view there's the cuffo royalty angle in favor of such plays. Also there's no Dramatist Guild, no temperamental playwright to consider. On the other hand, the absence of possible picture money is a factor against. Only five of this season's new plays have so far been bought by Hollywood, however.

Stated in some quarters that established actors are giving unusually careful thought to the matter of tackling new plays. Explained that not only the play but the roles are known quantities. In some cases the literary product offers new possibilities. Nevertheless, even the classics appear an outside bet, as there have been few clicks among the revivals, even with name casts.

**Bard Still Leads**

Shakespeare heads the list of authors, both last season and this. But he has only scored one hit this stanza out of a possible four tries. This, of course, is the Mercury's production of 'Julius Caesar.' Drama has not only done a flourishing Broadway biz, but has also gone on tour. Road presentation is co-sponsored by Alex Yokel and the Merk. Helen Hayes has also been doing roadwork with 'Merchant of Venice,' which she has not played in New York.

Flops by the Bard this season include the Surry Players production of 'As You Like It,' the Rowland Stebbins presentation of 'Antony and Cleopatra,' and most recently the Robert Henderson and Estelle Winwood production of 'Merry Wives of Windsor.'

Shakespeare did better last season, scoring twice with John Gielgud's 'Hamlet,' and Maurice Evans' 'Richard II.' Leslie Howard's 'Hamlet' was a flop in New York, but did okay on the road. Another unsuccessful try was Walter Huston's fling at 'Othello,' with Brian Aherne in the cast and under the Max Gordon aegis.

Ibsen has been represented twice on the main stem in 1937-33, with one moderate success, the Jed Harris production of 'The Doll's House,' starring Ruth Gordon, and one miss, the Henry Forbes production of 'The Wild Duck.' He also came in twice in 1936-37 with Walter Hampden's production of 'An Enemy of the People' and Nazimova's turn at 'Hedda Gabler.'

Theatre Guild is currently presenting a limited engagement of Chekhov's 'Sea Gull,' with a cast headed by Alfred Lunt, Lynn Fontanne and Uta Hagen. It is doing cleanup business.

**More Revivals Planned**

Mercury also had a fair success

(Continued on page 58)

## 'Mice and Men' Receipts Jump 100%; 'Best' Ad for 'Our Town' a Burn-Up

Attendance at 'Of Mice and Men,' Music Box, N. Y., last week jumped over 100% after the John Steinbeck drama was given the Critics Circle prize. Climb started immediately after the announcement of the award, with a rise of $700 that night and $800 the second night, while matinees tripled those of the preceding week. Receipts for the week went to nearly $11,000.

Some members of the Critics Circle which had selected 'Mice,' th office of producer Sam H. Harri and the staffs of two morning dailies were reported steamed up over the action of Jed Harris, producer of 'Our Town,' Morosco, N. Y., a contender for the prize. Wednesday's (20) N. Y. Times and N. Y. Herald-Tribune carried ads of 50 lines double-column setting forth the selection of 'Mice.'

Ads of the same size directly above carried the announcement of 'Our Town' as the 'best play of the year,' as voted by J. Brooks Atkinson, of the Times, and John Mason Brown, of the N. Y. Post. Two reviewers for magazines also selected 'Town,' but went unmentioned, which amused Broadway.

**Other Critics Named**

Ads almost double in size appeared the following day (21) in the N. Y. Daily News, stating that 'Mice' was the winner and listing the names of the 12 critics who had voted for it. This was taken as an outright reply to the 'Our Town' ad.

Reported there was considerable ado around the Times plant about the insertion of the 'Our Town' copy. Reported that it was not submitted to the paper until 9.30 Tuesday evening, when the sheet's censorship board had left for the day. There was no explanation of its acceptance by the Trib.

Critics were said to have talked the matter over and were reported to have decided that hereafter thei awards will not be accompanied by details of the vote, such as sent out this year by the Circle's secretary. In that way it is hoped to prevent a repetition of such a situation as resulted from the conflicting 'Mice' and 'Town' ads. In the early editions of the Times the 'Town' ad was placed directly over that of the winner's and in the Trib it continued in that position through all editions.

According to Jed Harris, his ad for 'Our Town' was not an attempt to steal the thunder of the 'Mice' victory. He stated that he was simply pleased and honored that 'two such distinguished critics as Atkinson and Brown' had voted for the play and had merely taken that way of saying so.

**Jed Harris Explains**

He was surprised, he said, when his ad appeared directly over the 'Mice' display and indicated that if any ill feeling had resulted it must have arisen over that matter of position. Also stated that he hadn't even known that the Sam H. Harris office intended using extra space ads that day or what size they would be, although he naturally assumed it would do so. Copy was sent to the Times and Trib early in the evening, long before deadline, he said. It was indicated that the 'Town' ad was Harris' own idea, not that of Robert Reud, his press agent.

In connection with the conflicting votes in this year's Critics Circle selection, there was less criticism of the winner this year than in the two previous years. However, Atkinso wrote in his Sunday (24) column i the Times that 'Of Mice and Men' has a heart, but 'Our Town' has a soul. 'If critics had souls it would be the prize play,' he concluded.

Talk now has turned to the chances of 'Mice' for the Pulitzer award. General feeling is that another play will cop. Critics decided three years ago to name their own choice for the best play after the Pulitzer committee had made a number of unpopular awards. Year or so ago the rules for the Pulitzer prize were changed and as a result the selection has carried more weight.

### One Opinion

Jed Harris is reported having burned when the critics prize was awarded to 'Mice and Men,' while his presentation of 'Our Town' was runner-up. Reported comment was about 'small action by small minds,' but the producer appeared to be mollified when queried several days afterwards.

Said that after all the contest was a matter of opinion and he felt that the Thornton Wilder play had received recognition, particularly in the subsequent comment of those who favored 'Town.'

## MAURICE EVANS GIVEN MGR. RATING

Maurice Evans has been accorded the privileges of a producing manager under Equity rules. Alien actor restrictions no longer apply to the English star. He asked for such rating and Equity's council acceded without controversy. Six months lapse between engagements in legit does not apply to him under this arrangement and he may engage alien players if they are required in production's with which he is managerially concerned.

Broadway success of 'Ki ichard II,' last season was the convincer for Equity. Revival ran into spotty business on the road this season and the tour's success was questionable. Evans stated that a repertory company is to be formed, however, and that restrictions should not impede its chances.

When 'Richard' was presented with a British contingent, Evans sought to engage four English players. Equity nixed that idea and still the revival developed into one of the surprise clicks of last season. Show was presented by Robinson Smith, with Evans in on the managerial end, as was Eddie Dowling. Understood also that 'Richard' was backed by Joseph Verner Reed as a silent partner.

Evans' intentions as an actor-manager are to remain over here indefinitely. He appeared with Katharine Cornell in 'Romeo and Juliet,' but it was as Napoleon in 'St. Helena' that he attracted attention. Max Gordon received a concession from Equity waiving the six months rule, in that case, as the producer claimed he could find no other actor capable of the part. 'Helena' extended its engagement twice, but ended plenty in the red.

## ELISSA LANDI OKAYED BY EQUITY FOR STOCK

Elissa Landi has been given permission by Equity to appear in the stock presentation of 'The arrior's Husband,' in the same part she played in the picture version. Show will be presented next Monday (2) by the Cumberland Hills Players at Manville, Rhode Island summer s ot. Under the alien actor rules foreigners are not permitted to work in stock and recently when another hideaway sought permision to use an alien, the idea was promptly nixed.

But since Miss Landi is to become an American citizen, the concession was made in her case. Final papers for the former English actress will be granted in two months. Delay apparently resulted from the fact that when she filed for citizenship she gave Hollywood instead of New York as her place of residence.

# Strawhats Ready Schedules

### June Walker at Cape—St. Loo Launches Co-Op—Cumberland Lists Guest Stars

June Walker has been signed for the permanent company at the Cape Playhouse, Dennis, Mass., this summer. It will be the first engagement the actress has had since she suffered a leg infection a year ago. Star is also understood considering two plays for Broadway in the fall.

Sylvia Sidney will have the lead in 'Pygmalion' at the Cape the week of July 11. She is doing the show at various strawhats during the season, as well as during the current altimore stock venture. Expects to return to the Coast in the fall.

Raymond Moore is again operating the Playhouse, with Richard Aldrich set to stage the productions.

**St. Louis Readying**

St. Louis, April 26.

Between 35 and 40 actors and scenic department workers of the St. Louis theatre have formed the Civic Theatre of St. Louis. Will produce four plays, for four performances each in a strawhat season starting the latter part of June and running for eight or nine weeks thereafter. Organizati , headed by Gordon Carter, chief of the Little Theatre's scenic department, will co-operative ente

Carter will produce two of the plays while Hanns Kolmar will be in charge of the others. Plays to be presented are 'Volpone,' 'Russet Mantle,' 'Penny Wi ' and 'To Quito and Back.' Price scale will be 50c to $1 for a single admission and $1.75 to $3.50 for season tickets.

While several outdoor sites in St. Louis County are under consideration for the new strawhat playhouse, there is a possibility that the roof of a St. Louis hotel will be utilized for the purpose.

**Shawnee Plans**

Stroudsburg, Pa., April 26.

Paul Shay, who three summers ago conducted the Shawnee Summer theatre at Shawnee-on-the-Delaware, Pa., announces that her studio of the theatre will offer an eight weeks course at that place from July 1 to August 27.

Besides Paula Shay as director of Instruction, the corps of assistants will include Florence Burroughs, characterization and dialects; Margaret F. Bower, speech and the speaking voice; Ruth Hampton, coordination; Milton Miltiadis, dancing and fencing; Edward Brandon, make-up and stage management; and William Valentine, singing and interpretation.

Claims that sponsors and supporters of the school include Helen Menken, L. Lawrence Weber, Vinton Freedley, Irving Cooper and Clayton Hamilton.

**Providence Plans**

Providence, April 26.

Cumberland Hills Playhouse, Inc., summer season opens May 2. Playhouse was formerly the Lippitt Estates Barn Theatre. Brace Conning will direct. Performances will be given evenings, Mondays through Saturdays, with Wednesday matinees.

Listed are May 2-7, Elissa Landi in 'Warrior's Husband'; May 9-14, Douglas Montgomery in 'Men In White'; May 16-21, Mary Brian in 'How to Get Tough About It'; May 23-28, Edith Taliaferro in 'Pygmalion'; May 30-June 4, Eddi Nugent in 'Front Page'; and June 6-11, Ian Keith in 'Hamlet'.

Wharf theatre, Provincetown, Mass., will open its strawhat season June 27. Neil McFee Skinner will be managing director, with Jean Paul King, radio announcer and newsreel spieler, as associate.

## Gallo's L'ville Plans

Louisville, April 26.

Fortune Gallo was in town last week, conferring with local architects and officials of the Park Theatrical Assn. on plans for the Iroquois Amphitheatre. Four week season of light opera has been definitely set, with Gallo producing.

Construction has begun on the amphitheatre, with three shifts of WPA labor on the job. Project's completion has been assured by July 1, according to those in charge. Gallo will bring his company on a guarantee arrangement, the cost to be underwritten by local business te ests.

## GEO. WHITE FOR FRISCO?

### Producer in Huddle with Fair Exec—Ticket Sale

San Francisco, April 26

George White closed with Harris Connick, expo director, discussing plans to bring his 'Scandals' girl show to Treasure Island next year. If deal goes through, White will abandon his N. Y. production for 1939 and concentrate on local product. He was accompanied here from Hollywood by Arch Selwyn.

Ballyhoo for sale of ticket books to 1939 Golden Gate International Exposition starting now, ith $1,500,000 worth of admission tickets due to roll from the presses for distribution June 1. There will be no season tickets. Fair taking a lesson from the 1915 Expo when there was too much passing around of personal ducats.

Two books will be offered: 28 admissions for $10, 12 for $5. Holder must paste passport photo on cover and promise not to transfer the book.

United Airlines will send mainliners around the bay and over the islands Saturday and Sundays for

Local Expo execs are burned over revelation that New York fair may stay open three years. Gotham took title of Official 1939 World's Fair away from Frisco by promising to remain in biz only six months as against 10 here. Chicago and Paris expo did same thing—promised six months and then stretched it out.

## Surry Players Set 4

Surry Players will do four plays this summer at their strawhatter at Surry, Me. Shows planned include 'Ned McCobb's Daughter,' iliom,' 'Hedda Gabler' and 'The Recruiting Officer.' Company, including Sheppard Strudwick, Katharine Emery, Anne Revere, Helen Wynn, Jabez Gray, Jack Lydman, Lester Damon, Wesley Addy, Robert Allen, Clair Kramer and Frankli Downing, leaves for Maine early in June and will rehearse for two months for the first production Aug. 2.

Sam Rosen is directing the troupe.

## Current Road Shows

**Abbey**
Milwaukee.
**'Brother Rat,'**
lyn.
**rother Rat,'** His
ontreal,
**'Golden Boy,'**
Francisco.
**'I Married An Angel'** (Dennis ing-Vera Zorina), Shubert, Boston.
**'Juli**
nati.
'
Boston.
**'Pins and Needles,'**
Philadelphia.
**'Room Service,'**
cago.
**San Carlo Opera,**
Buffalo (30).
**'Star Wagon'** ( dith-Lillian Gish), House, Chicago.
**'Three Waltzes'**
lisle), Ford's, Balti
**co Road,'**
burgh.
**'Vic ria Regina'** (Helen Hayes), Au , Denver, (25-26); Paramount, Salt Lake City (28-29).
**'Women,'** Colonial, Boston.
**'Yes, My Darling Daughter,'** (Lucille Watson), National, Washington.
**'Yes, My Darling Daughter,'** (Florence Reed), Shubert, Newark.
**'You Can't Take It**
Geary, San Francisco.
**'You Can't Take It**
Locust St., Philadelphia.
**'You Can't Take It With You,'** Shubert, New Haven (25-27); Playhouse, Providence (28-30).
**'You Never Know'** (Lupe Velez-Clifton Webb), Cass, troit (24).

## Future Plays

,' James Henry Berad, will be unveiled Aug. at Maryverne Jones' Starlight Theatre, Pawling, N. Y., prior to a Broadway opening. Jeanne Dante, Curtis Cooksey, Star West, Clara Thropp, Donald Black, Sylvia Rollins and Will Henry are among those cast.

## Preem New Play By Ann Preston Bridgers

Charlotte, N. C., April 26.

'Carrie Was a Lady,' new comedy by Ann Preston Bridgers, will be world preemed tonight by the Raleigh Little Theatre, in association with the WPA Federal Theatre.

Miss Bridgers was co-author with George Abbott of 'Coquette,' which brought Helen Hayes to stardom in 1927. She is a Raleigh resident.

## WALTER GILBERT BACK AS FTP CO. DIRECTOR

San Francisco, April 26.

Hubbub raised when Allan Williams was appointed to succeed Walter Gilbert as local director of Federal Theatre Project has been quieted with the reinstatement of Gil rt.

Both men will share the title, illiams handling the next new play, 'A Murder Has Been Arranged' (25), and Gilbert taking over the reins for 'Prologue to Glory' which opens May 16.

## New Community Theatre For Worcester, Mass.

Worcester, Mass., April 26.

Work has begun on a new theatre project, which when completed in September will t a new standard for community theatres, at least in this section of New England.

Backed by an undisclosed group of New York and Boston men, the house will be known as the Greendale theatre and will be located a short drive from Worc ter's downtown business secti Henry J. Steinberg, is trustee and treasurer,

Building will be of English Tudor type, with tower of three floors. It will be set back from the street with the grounds completely landscaped and providing parking room for more than 200 cars. Most unusual of all, however, will be the installation of Westminster chimes, to be played only at Christmas and Easter, and on occasions to notify the neighborhood of unusual news events, important enough to justify a newspaper extra.

# ROTATING REP FOR L.A., FRISCO

San Francisco, April 26.

During his visit to San Francisco last week, Homer Curran outlined a plan for a repertory theatre here with ranking stars i outstanding dramatic successes. Curran's scheme for founding of a California literary theatre has been hatching for some time.

Plan is to present at both the Curran Theatre here and the Biltmore in Los Angeles, four plays which will run a week each. Subscription plan of selling tickets, like those organized for local grand opera and symphony seasons, would be used. If the season proved successful several weeks would be added each year. Curran is still undecided as to whether the project should be started in the later summer or early winter after the San Francisco Opera season has closed.

Robert Edmond Jones has agreed to sit on the board of directors and will probably design the scenery for the four productions. Max Reinhardt has expressed a desire to direct 'Sumurun' or 'Danton.'

Curran said he would not try new plays because they are too risky and that the season would be arranged so audiences will see as varied a repertory as possible.

## Foundation's 50G Helps Cleve Little Theatres

Clevelan April 26.

Western Reserve Univ. is rebuilding its Eldred theatre, one of the town's leading community theatres, through a gift of $35,000 from the Rockefeller Foundation. Donation came as a result of its affiliation with Cleveland Play House, which uses it in training school course for actors and dramatics teachers.

Tieup was made closer when the Rockefellers also agreed to give financial backing to the National Theatre Conference, which has its headquarters at the college. Barclay S. Leathem, general director of Eldred, is secretary of a group composed of 25 directors of non-profit little theatres in Ohio. Frederic McConnell, head of the Play House, is treasurer of the N.T.C. which is receiving $15,000 from the foundation to promote its activities.

Gift includes $5,000 for a revolvin fund to pay for play royalties an $10,000 extra, at the rate of $2,000 yearly, for the organization's general expenses. After the Play House closes in late May, McConnell and a majority of his repertory cast are going to Chautauqua, N. Y., for their annual series of s mmer productions.

## A. B. Marcus Show Made $150,000 on Anzac Tour

Advices received from Australia by Ned Alvord indicate that the A. B. Marcus show netted a profit of $150,000 during its 11 months there and in New Zealand. It played legit theatres throughout the Antipodes under contracts which stipulated that the house end assume virtually all operating costs except the company's salaries.

Marcus pleaded with Alvord, formerly his advance agent, to make the trip, offering him half the profits, but the 'cutaway kid,' as he is called for the apparel he wears, decided to spend a second summer in Ft. Worth with the Casa Manana. This season Alvord has been agenting legit shows. Recently he has been in advance of 'Gentlemen Need a Shave' by Charles Washburn and Ben Gross. Latter is radio editor of the N.Y. Daily News. Washburn, also an agent, wanted Alvord to do the trick, but the latter had first to file an application to the Theatrical Managers, Agents and Treasurers Union, which issued a working car to him.

Marcus Show opened in Johannesburg recently and is expected to play South African dates for the next six months. It is the first American musical to play either territory in many years, but there are plans afoot to send Leonard Sillman's 'Who's Who' to Australia.

## Morner's Coast 'Pri

Los Angeles, April 26.

Stanley Morner has been set for the title role in 'The Student Prince' to be presented at the Philharmonic, opening May 23.

# Calendar of Summer Stocks

*(Asterisks indicate conformity with Equity regulations)*

| Date Announced to Bow | No. of Weeks | | | anagers |
|---|---|---|---|---|
| May 2.. | 22 | Cumberland Hill, R. I. | | |
| May 15.. | 16 | Skowhegan, M ne | | |
| May 17.. | 5 | Ann Arbor, Mich | | |
| May 21. | 15 | Poughkeepsie, N. Y | | |
| May 30. | 18 | Pawling, N. Y | | |
| May 31.. | .. | Litchfield, Conn | | |
| | | | | ndolph |
| June | | | | |
| June | | | | |
| June 5.. | | | | |
| June 5.. | | Rye Beach, N. H | Farragut Players | Dorothy Crane-Donald Towers |
| June 13.. | | Hamburg, Pa | Deer Lake theatre | William Lovejoy |
| June .... | | Woodstock, N. Y | Maverick theatre | Robert Elwyn |
| June 15.. | | New City, N. Y | High Tor theatre | Harry Hayman |
| June 15.. | | Mt. Kisco, N. Y | *Westchester Playhouse | Day Tuttle and Richard Skinner |
| June 15.. | | Westford, Mass | Nabnassett Players | John Ferguson-Jos. Lawren |
| June 20.. | | Skaneatcles, N. Syracuse) | Skaneateles theatre | Virginia E. Franke |
| June 20.. | | Westport, Conn Alternates with Mt. | | |
| June 25.. | 9 | Kerrville, Texas | | Ramsey Yelvington-Clemon White |
| June 27.. | | Dennis, Mass | | Raymond Moore-Richard Aldrich |
| June 27.. | .. | White Plains, N. Y | | Ed Massey-Marie Elkins |
| June 27.. | 10 | Provincetown, R. I | | N. McFee Skinner |
| June 27.. | 10 | Bridgehampton, L. I | | Edgar Mason |
| June 27.. | 8 | Clinton, Conn | | Richard Keene and Jackson Halliday |
| June 27 | | | | Walter Hartwig |
| June 27.. | | | | Freeman Hammond |
| Late June | | | | William Miles |
| June .... | | | | Jane Broder |
| June 28.. | | | | Robert Cutl |
| July .... | | | | Thoda Cocraft |
| July 2.. | | | | Dot Rockwell- inslow |
| July 5.. | | | | Bruce Hewitt |
| July 12.. | | | | Charles Coburn |
| July 15.. | | | | |
| Aug. 2.. | | | | Sam Rosen |
| | | | | Robert Porterfield |
| | | | | Daniel Reed |
| .......... | | | | Willard Gernhardt |
| | | | | Robert Goodhue |
| | | | | Richard Aldrich-R. E. |
| .......... | | | | |
| .. | | | | |
| .......... | | | | *Fortune Gallo |
| .......... | | | Rochester theatre | Jack Shatz |
| ..... | | | *Municipal Ooer | Richard Ber |
| ..... | | | *Gilbert-Sullivan theatre | F. J. Viola |
| .......... | | | Green Haven theatr | Stallard Sicbenthal |

# Spring Edition of Lambs' Gambol Introduces Number of Novelties

Spring Gambol of the Lambs Club held at the Waldorf-Astoria hotel, Y., Saturday ( ) was accompanied by a snappy bill of just an hour and 15 minutes. It was primarily a singing show; but was geared for humor that started when Shepherd William Gaxton and M. Sayle Taylor ('The Voice of Experience') pulled the gag about the bow-legged actor.

Vocal highlights were anything but routine. There was novelty in the presentations, although none was required by Morton Downey, who was in rare form. Laughs and class warbling came ith 'Curb Your Dog,' billed as a 'canine cantata,' staged by William Holbrook. It brought on a baritone, tenor, prima donna and the like, all with assorted mixed breed pooches on leashes on an airing in Central Park. In the act were Armand Tokatyan, Warren Lee Terry, Robert Shilton, Don Gauti , Phil Ryder and Robert Pitkin.

Punch of the warbling section came at the finale, with the clubmen in burnt cork. Words and music were by Fred Hillebrand, who was brought forward for an acknowledgement. Turn 'Will There Be Room for All of Us in Heaven?' was billed 'a spirituallctta.' Cast was topped by James Wilkinson, who as a darky preacher conducted a revival meeting. Others in the cost were Don Tomkins, Eddie Nugent, John Barker, Roy Roberts, Jack Sheehan, Joe Vitale, Maurice Lavigne, Dave Mallen and James Tranter. Staging was by Charles Mosconi, with special setting and lighting by Yellenti lbert Cowles.

**ross-Soglow Combo**

Milt ross contributed a comedy sketch, 'The Firemon,' with Otto Soglow playing that character. It proved a spicy bedroom bit with Hugh Cameron in the hay with Dave Riggs playing an artist's model. Cameron sported one of the most garish bathrobes ever conceived. Joe Laurie, Jr., staged a novelty, 'New and Old Faces,' played by Doane Powell. Latter uses a series of complete masks to give impressions of noted people.

Stan Kavanaugh was a natural ith his bounding balls and Indian clubs. 'Kashmiri the Eloquent,' who is Leonard Elliott, was still another novelty on the comic side. Opening was 'A Tempest in a Top-Hat,' a brief operetta topped by Walter Woolf King, Fred Howard and Gene Hammond. Words and music were by Howard; with William Lynn doing the staging. There was an excellent orchestra conducted by Richard Baravalle, although Hans Fredhoven had the baton for the spiritual interlude.

Affair was for the club's memorial and relief fund. Gaxton recently returned from Hollywood, where he went in the interests of the new group charity movement in New York that aims to raise $10,000,000. Gaxton, in mentioning the Coast, said there was no more rain out there—'just orange juice.' He auctioned off James Montgomery Flagg's painting, used as the front cover of the program, Hiram Bloomingdale bidding it in for $600.

Still the angel of the Lambs, Robert L. Hague was again host to several hundred guests who gathered before and after dinner in his special suite above the ballroom. His only rival for entertaining friends appears to be Charles S. Howard, of San Francisco, who proposes bringing 2 to Belmont race track next mont is Seabiscuit race War *Ibee.*

## Blitzstein's Duo

Pittsburgh, April 26.

arc Blitzstein, author of 'Cradle ill Rock,' here for a few days last week to see his mother, Mrs. William Levy, before pulling out for the Virin Islands to spend the next six onths knocking out a new play with music and starting another ithout tunes.

Has decided to keep aw. from Hollywood for at least nother year, he told friends, preferring to get hi self more firmly established on the stage. Couple of Broadway producers offered him contracts for his new work but he wants to finish it before seeking any managerial set-u

### 'Snow Flakes'

Broadway boxoffice people are kidding about the 'no-ice' provision in the new basic agreement between the producers and the Theatrical Managers, Agents and Treasurers union. Some would prefer not to mention the matter, however.

'Don't use the term ice anymore,' one b.o. man remarked, 'call it snow flakes.'

# WPA ADDS 220 MORE PLAYERS

WPA theatre project in New York is now engaging more actors, as permitted under the government order to increase the personnel. Number taken on totals 220 as indicated last week. Original plans to enlarge the project by at least 300 were revised in Washington. Reason for reducing the increase was not explained other than that the original number was an estimate and was never officially okayed.

Whether the most recent order limiting the annual security pay to not more than $1,000 per person will effect a change in plans to send componies on tour or to spot virtual stock companies in certain spots is not definite. It is the hope of the administrators to secure sponsorship or subscription support, which is expected to take care o. a major share of the expense entailed. Another angle is the $3 per day allowance given government employees when traveling.

Problem, however, is how to reconcile the lowered pay in the New York project. Production department feels that its work will be hampered. But a solution of sorts is being mulled over. This would mean cutting down the pay of some of the complement in order to maintain the present wage of players who are regarded as vital to performances.

How this will work out without arousing general protests is to be considered. Whether the wage curtailment is supposed to cover the administrative force's salaried people, who get $3,000 and upward, is still to be ruled upon, it is stated. If such jobs are brought within the $1,000 regulation it might mean that the reduction in wages would cover the whole project to balance the salaries paid the execs.

# EQUITY BOOSTS PAY FOR CHORUS GROUP

Although Equity made no further changes last week that might up production costs so far as straight plays are concerned, contracts for its chorus branch were made stiffer and will apply to musical shows hereafter. If a chorister steps out of the line and plays a bit or warbles solo, minimum pay of $40 must apply. Chorus people who understudy members of the cast are to be paid at least one-eighth of a week's wage for the extra duty.

Recently the pay of choristers was boosted from $30 to $35 in New York and $40 on tour. Previous minimum wos $30 with $35 on the road. Producers of major musicals usually pay over the scale, particularly for showgirl types, but the number of such productions is markedly reduced and the number of jobs are stated to be larger in the night spot field than on the stage.

## Wildberg's 'Cramp'

John J. Wildberg, attorney, who has secured the rights to the Dorothy Bennett and Link Hannah comedy, 'Writer's Cramp,' hopes to arrange a five or six weeks' tour for the play prior to its New York opening. Intention is to play it around at several strawhats rather than wait until fall to give it the usual week or two road tryout. Wildberg goes to the Coast soon to line up the cast.

Katherine Alexander is set. Others whom Wildberg will see are Rod La Rocque, Paul Kelly, Warren William and Conrad Nagle. Also anxious to talk with Raquel Torres.

## Stella Adler's Bid

Hollywood, April 26.

Stella Adler, who staged the Coast production of 'Golden Boy,' has received overtures from the Group Theatre, N. Y., to play the lead in 'John Reed's Wife.'

Piece is slated for a su duction on Broadway.

# GUILD VARIES ROAD AGENT POLICY

Theatre Guild plans a major change in policy in its publicity department for next season. Instead of having a department head and one or two assistants, idea is to hire an agent for each show, to be responsible for that show alone. However, as head agent, Joseph Heidt would still have general authority over all agents on the staff.

Under the new agreement between the Theatrical Managers, Agents and Treasurers union and the League of N. Y. Theatres, the Guild is required to pay its chief press agent $150 a week. Assistant must be hired at $75 a week for a second show, another at $100 a week for a third show and still another at $75 for a possible fourth show.

Idea of the Guild is said to be that as long as its will have to pay $75 or $100 for an asistant, it might as well spend the $75 to $50 extra and get a full-fledged agent who can devote his entire time to a single show. Figured the extra publicity breaks may more than offset the added salary cost. Added foctor is said to be the comparative scarcity of assistant agents within the TMAT ranks. There are plenty of full-rank agents, but only a few asistants, it is said.

Hei , new head of the department, succeeds Helen Deutsch. He has been with the Build 10 years. Helen Deutsch, who retires from the post at the end of this season.

# FTP CASTING WORRIES ON 'SING FOR SUPPER'

Federal Theatre is having casting pains with the production of its first musical. 'Sing for Your Supper.' Lack of cooperation from other possible sources within the project and limited supply among its own people due to age, etc., has plans stymied.

Musical was written by Harold Hecht and recently acquired by the FTP. Red tape of switching singing-dancing people from the vaudeville project hit it first. Now supervisors on vaudeville are uneasy about parting with the creom of their material lest its standards fall off and boomerang. Also is trouble that those in charge are not familiar with types on rolls, their work and former background, which would aid casting.

# 'Ramona' Pageant in 15th Year On Coast; World's Largest Stage

Los Angeles, April 26.

With snow-capped Mt. San Jacinto for a backdrop and 250 actors fighting and romancing in the surrounding hills, th historical pageant, 'Ramona,' opened its 15th season Saturday (23) on the old Camulos Rancho neor Hemet, Cal., about 100 miles from Los Angeles.

'Ramona' is largely a labor of love. The cast is recruited from the townspeople of Hemet and San Jacinto with the exception of a few professionals, to whom sentiment means more than salary.

Victor Jory is directing and playing the leading role of Alessandro this year as he has done for the last decade. Assisting him as director is his wife, Jean Inness, who hos given up the role of Ramona this season because of illness.

Playing the part is Cristina , soprano, who has introduced songs into the dramatic oction for the first time. Miss Welles, who was educated in Mexico City, is under contract to play Spanish parts for Columbia pictures.

Stevan Darrell, another professional, is cast as Felipe, an important role. Darrell has appeared in several pictures and is connected with the Pasadena Commu ity theatre.

Villagers and school children, actuated by civic pride, make up the rest of the cost, costumed as Indians, caballeros and rancheros.

The story is based on the novel 'Ramona,' written by Helen Hunt Jackson, who had been sent to California to investigate Indian affairs for the Federal government.

It deals with the struggles tween the Indians and the ranchers half a century ago, and the love of Ramona for Alessandro, a native sheepherder accused as a cattle rustler. There is plenty of gunplay between Indians and whites in the hills and the more romantic scenes are played on a natural stage, all in view of the audience in the amphitheatre.

**5,000 Capacity**

This structure, built by the earnings of the play, seats 5,000 comfortably. Six performances are given each year, on Saturdays and Sundays over a stretch of three weeks. It is estimated that 200,000 have seen the pageant since 1923, with 30,000 more expected by the end of the present run.

Dramatist and first director 'Ramona' was Garneth Holme, University of California professor, who di the next year. The moving spirit for the last ten years has been Victor Jory, who has made it his annual art pilgrimage.

Personages in all walks of life have attended the 'Ramona' festival, the last big historical pageant left i California. Calvin Coolidge was a spectator shortly after he left the White House, and the list of guests includes prominent personages political, literary, dramatic and business life.

It is a non-profit enterprise. All the proceeds, above the cost of costumes, promotion and a few professional salaries, is turned over to the Ramona Pageant association and devoted to i proving the amphitheatre and the surrounding hills, said to be the largest stage in the world. Admi ion prices are $1 and $1.50.

Adding a touch of Old Californi is Leo Carillo, descendant of Spanish dons, who hands out prizes at the athletic contests and stirs things u generally.

### Quite Well, Thanks

L. Lawrence Weber, formerly active on legit managerial circles, having recovered from pneumonia, denies he is broken in health and bank account. Nothing is the matter with him, he explains, that a good play script won't cure.

'To allay the concern of my well-wishers,' he adds, 'I can say that I went short on th stock market last September.'

# STAGEHANDS TO BALLOT MAY 8

ion held Sunday (24) by the stagehands u Local No. 1, International Alli Theatrical Stage Employees, was cli ith nominations for the annual election to be held ay . Contests will mark the balloting this year. Five candidates have been named for the presidency and another four aspirants for the two business agent berths.

James Brennan was renominated to succeed himself as the prez and the four opposing candidates are Sam Goldfarb, a former president of the union; Earl Marsholl (Music Hall, Radio City); Robert Amster (Roxy), and George Marshall (Forrest). Vincent Jacobi and Frank Powderly were again selected as agents, but will be opposed by John Goodson and Louis Yeager, the latter a former business agent.

Figured that rennan's opponents will split the vote of their adherents and in that event he would be assured of a plurality. With one interval, he has headed the local for six terms and is also vice-president of the parent IATSE.

## FTP Blood Test

icago, April 26.

Federal Theatre Proj t has a give-away of its own to stimulate trade for 'Spirochette,' syphilis drama which opens at the Blackstone tomorrow night (Wednesday).

Arranged with the Board of Health to give free blood tests in the theatre lobby.

### BARRISTER'S STAGER

Hollywood, April 26.

Ralph D. Paonessa, L. A. attorney-impresario, will start rehearsals early in May for his first musical comedy, 'Thumbs West.' George Rosener, who will direct, wrote the book, George Grandee, the score and Jack Keirn Brennan the lyrics.

# Only Five Hollywood Buys So Far; Amounts Also Way Under Normal

Hollywood has so far bought the film rights to only five plays produced on Broadway this season. That is considerably behind the records of recent seasons, both as to the number of plays purchased and th amounts paid. Highest price mentioned is for 'On Borrowed Time.' Metro had that tied up, but the deal is still to be completed. Bid is said to be under the $125,000 level announced.

Purchases of rights of other plays show that bidding has been light i almost every instance. Several buys were reported at higher figures than actually paid. Indications are that the figures were intentionally upped for one reason or another.

Rights for 'Golden Boy' was said to have been sold to Columbia for $85,000, but the actual price is put around $70,000. 'The Star Wagon' was supposed to have brought $65,000 from Selznick-International, whereas the actual figure was $40,000. 'How to Get Tough About It' was bought last week a: $22,000 or slightly more, the announced price being boosted several thousand. 'ough' was a flop and the price is regarded as high because of that rating. 'Roosty' also was a bust on the stage, though its rights brought $11,500. Both the latter went to Metro, giving that firm three out of the five buys.

**Pending Deals**

ther pen ing deals for current attractions include 'Susan and God.' which Metro is considering for Norma Shearer. Picture end also appears to be interested in the possibilities of 'What a Life,' 'All the Living' and 'Mice and Men.' Latter's film chances were upped because it was awarded the critics prize.

Also mentioned for possible Hollywood usage is 'Pins and Needles,' a revue staged by the Ladi ' International Garment Workers union, but if that deal goes through only the title would likely be used. There was a musical show of the same name presented at the Shu rt, N. Y., by Alfred de Courville in 1922, but no protest w. made to the la or group and the label arded a natural becaus onsorship.

our of the five picture deals ade were set by Harold Freedman, of the Brandt & Brandt agency.

# 'Buddy' Maschke Sued For $5,000 as 'Memory' Angel

Cleveland, April 26.

Maurice (Buddy) Maschke, Jr., former husband of Helen Morgan, was sued last week for $5,000 by Myron C. Fagan, New York producer, on the claim he had agreed to back a play tagged 'Memory' in 1934 for $5,000. Suit was filed h by Herbert J. Straub, representing Fagan and the Memory Productions, Inc. Producer declares the co pan was incorporated with $20,000 capital stock, of which Maschke in January, 1934, was cut in for 25% of t e profits, if any. Fagan said the would-be angel had not yet paid his pledged $5,000 and had refused al previous demands.

# Dramatists-Bureau of New Plays End War; Film Backing in Doubt

ays, Inc., and ild have ended ir two-year-old feud. Former itter enemies have call off the 'war' and both groups have agreed to cooperate and the old accusations are being discreetly hush-hushed.

According to the terms of the peace pact, the bureau agrees to waive the matter of options and contracts on scripts submitted in its playwrighting contests. In the future it will simply sponsor such competitions, award scholarships to promising entrants and otherwise encourage and help young playwrights. Since that matter of options and contracts was the prime issue in the warfare, it appears that the Dramatists Guild has the edge.

Understood the picture companies which have financed the bureau will continue their backing. How long they will continue to do so, now that they no longer have any prospect of controlling the entered scripts, remains to be seen, however. Dramatists Guild council has agreed to co-operate in a plan for extending the bureau's activities to give student dramatists practical experience in the theatre. Attendance at rehearsals of Broadway productions is one of the suggested activities.

Also stated that the bureau will establish a course of study for the budding authors and will include conferences with 'leaders in various departments of the theat .' Producing managers are likewise asked to cooperate in the plans.

Guild-Bureau scrap has been raging ever since the formation of the latter outfit two years ago. Because of its film backing, the bureau was accused by the Guild of being a 'company union' and a Hollywood stalking horse to attack the Dramatists' Guild basic agreement with the Broadway managers. Dramatists had boycotted the Bureau contests. Any managerial or playwright co-operation was frowned upon.

Efforts to end the dispute have been in progress for several weeks, but the bureau's bow-out was not made known until yesterday (Tuesday). After pledging the Dramatists' cooperation with the new bureau setup, Robert E. Sherwood, Guild president, planned to sail today (Wednesday) to spend the summer in Europe.

With their bureau's usefulness now pretty well dissipated, the film companies are still understood to be trying to reach an agreement with the Guild for modification of the Dramatists' basic roduction contract. However, it is believed that they have virtually abandoned hope of effecting a compromise. Guild membership in general, and Sherwood in particular, are determined not to make any concessions. It was because of dissatisfaction with this contract that Hollywood withdrew its legit financing after the 1935-36 season.

## Dead Playwrights

(Continued from page 55)

with a Thomas Dekker play, 'The Shoemaker's Holiday.' It plans further revivals next season, having completed a deal with the Theatre Guild calling for a Shakespeare royal series to be titled 'Five Kings.' It likewise has 'Heartbreak House,' a Shaw (very much alive) revival nearly set to open. Other revival of the present season is Somerset Maugham's play 'The Circle,' which opened to favorable notices with Tallulah Bankhead and John Emery. Their only other play this season was a revival, 'Antony and Cleopatra.'

Other revivals done last season were Wycherly's 'The Country Wife,' presented by Gilbert Miller, with Ruth Gordon. For two seasons now that actress has appeared only in revivals. Eugene Brieux' 'Damaged Goods' completes last year's list of posthumous revivals.

Four other revivals were on Broadway, however. 'The Bat,' 'The Cat and the Canary,' both mysteries, wer shortlived stock attempts. 'Abie's Irish Rose' tried a comeback, but fail . Katharine Cornell revived Shaw's 'Candida' for 50 performances.

Despite the playing-it-safe angle as far as the dramatist is concerned, only two of the eight posthumous productions this season can be considered in the hit class. These are 'Caesar' and 'Sea Gull.' Two more have been moderate successes, 'Doll's House,' and 'Shoemaker's Holiday.' Of the four total flops, three have been Shakespearean. These are 'As You Like It,' 'Antony and Cleopatra,' and 'Merry Wives of Windsor.' Other is 'Ibsen's 'Wild Duck,' which opened and shut red quickly. 'Circle,' which only recently opened, is not figured in this rating.

### 'ROAD' 9G, CLEVE.

Cleveland, April 26.

'Tobacco Road' pulled a neat $9,000 gross here last week at the Hanna. Company was headed by John Barton.

# Inside Stuff—Legit

Critics Circle award to ' ice and Men' puts Sam H. Harris out in front in the matter of having been managerially interested in prize plays. It is his fourth show to ring the bell in that respect. Three in the group have copped the Pulitzer prize, 'Icebound' produced in 1923 being the first. His 'Of Thee I Sing' was another, the only musical to win that honor, while 'You Can't Take It With You' was last season's Pulitzer winner.

Prior to the 'Mice' win an arrangement was made between Harris and the Theatre Guild whereby the play will tour American Theatre Society subscription spots next season. Show is assured $4,500 weekly from such subscribers. Guild has also scheduled the ercury theatre's 'Five Kings' revivals for the road, which may also get ' ashington Jitters.' Latter opens publicly at the Guild theatre, N.Y., next onday (2).

Couple of new writers were dispatched to Pittsburgh by John Shubert last week to see what they could do with book of 'You Never Know.' Musical has been in process of revision ever since it opened a month ago but so far hasn't reesponded very successfully to treatment. Understood at least two of the featured threesome of Lupe Velez, Clifton Webb and Libby Holman have said they wouldn't go into New York with 'Know' unless libret is reshaped considerably beforehand.

James Timony, in the east last week representing Mae est, plans to enter the legit managerial field in New York next season. Figures on doing his casting on the Coast, saying there are not enough desirable actors here.

He was formerly a practicing attorney in the metropolis. Last season he tried out two plays in Hollywood little theatres and has them slated for Broadway in the fall.

Ordinance concerning the use of signs, including those used by theatres, is being considered by New York's Council, the city's governing body which replaced the Board of Aldermen. Signs would be permitted to extend one foot below and six feet above the canopy.

Understood the statute would legalize the present practice of si is-plays which are restricted under an old ordinance.

Hedgerow theatre, in Rose Valley, Moylan, Pa., observed its 15th birthday last Thursday (21) with a performance of Shaw's 'Candida.' Morell was played by Harry Sheppard, repeating the role he played in the first Hedgerow production in 1923. All other members of the cast were different.

There are two Jane Taylors in legit. One in recent WPA cast is not the Jane Taylor of musical comedy who is now dickering with a Hollywood studio.

## WPA Play

### TROJAN INCIDENT

Dance drama in one act, based on the works of Homer and Euripides; presented by the Federal Theatre Project of the Works Progress Administration. Staged by Harold Bolton and Tamiris; produced by Dillard Long; settings, Howard Bay; music, Wallingford Riegger. At the St. James, N. Y., April 21, '38; $1.10 top.

| | |
|---|---|
| Odysseus | Marcel Rousseau |
| Agamemnon | Frank Curran |
| Menelaus | Joseph Kramm |
| Thersites | Michael Cisney |
| Talthybius | Colfax Sanderson |
| Hecuba | Isabel Bonner |
| First Woman | Susanne Remos |
| Second Woman | Hilda Sheldon |
| Third Woman | Paula Bass |
| Fourth Woman | Augusta Gassner |
| Fifth Woman | Dvo Seran |
| Sixth Woman | Lea Semuels |
| Seventh Woma | ildred Albert |
| Eighth Woman | Rose Levy |
| Ninth Woman | Kathleen O'Brien |
| Tenth Woman | Mildred Tanzer |
| Cassandra | Tamiris |
| First Soldier | Edward Segal |
| Andromache | Jane Taylor |
| Astyanax | Peggy Romano |
| Attendant | Willia Kaufman |
| Helen | Evelyn Swenson Eden |

Women of Troy: Marion Appel, Paulina Bubrick, Lily Faber, Saida Gerrard, Bivu Katz, Ida Little, Valentine Litvinoff, Fara Lynn, Lulu Morris, Edith Pfefferman, Gertrude Wasinsky.

Choral group: Ruby Baker, allace Banfield, Phylisa Boice, Willis E. Bradley, Oscar Brooke, John Brown, James Davis, Laura Duncan, Anna Gaillard, Ray Holland, Millia Holmes, Hilda Manigault, Bob Moman, Natalya Phillips, Henry Pittman, Virginia Robinson, Agnes Sanford, George Stephens, Ada May Talbot, Dora Thompson, Lillian Wartell, Charles Willis, and Ward.

Restraint and reluctance exercised by the professional theatre in the presentation of the Grecian drama isn't manifest in this Federal Theatre Project production. With lighter hearts and heavier assurance, the FTP has shown considerable courage in presenting 'Trojan Incident.'

Harold Bolton and Tamiris, who also plays a leading role, have too great a job in trying to stage this Greek classic taken from Homer and Euripides, and based on the fall of Troy. There's a preponderance of dialog and incomprehensible dancing, although the music by Wallingford Riegger, played by a WPA orchestra, and a mixed choir attain some measure of adequacy.

It's startling, too, at times to hear the verse of ancient Greece shrouded in New Yorkese. But, all in all, the players try valiantly, best being Isabel Bonner, as the courageous Trojan matron, Hecuba.

Greece's invasion of Troy, ith the aid of the giant wooden horse, is not unlike topical themes usually undertaken by the experimental FTP. Here the Greeks take the Trojan women for their own, pillage, plunder and kill the male youngsters so their adulthood won't threaten their dynasties.

Tamiris is programmed as being in her first speaking role; her monotonous voice needs considerable cultivation. At times the dances of her group assume a barbarism not at all in keeping with the beaten, resigned miens of the Trojan women.

## Play Out of Town

### HOLD YOUR HATS

Pittsburgh, April 23.

Musical in two acts (26 scenes), with music, lyrics and sketches by Charles B. Gaynor. Directed by Frederick Burleigh. Settings, James Lindsay and Jera McMahon.

Cast: Stephania Diamond, Gene Kelly, Norma Shea, Marjorie McCann, William McCloskey, Jere McMahon, Mary Jane Donohue, Hope Day, Harriet Engle, Norman Porter, Jane Bowman, Alma Lind, Tom Wilmot, Wilma Ziefel, Jimmy Fitzgerald, Bob Bailey, Bob Knight, Janice Cooper, Jean Coyle, Marjorie Hull, Mary Rief, Angela Ross, Jean Shubert, Phila Tharp, Herman Duskey Coleman Joyce, Bill Miller, Jim Skeels, John Slang and Peter Walsh. At the playhouse, Pittsburgh, for one month; $1 top.

First time Pittsburgh Playhouse, community theatre, has gone in for a musical. It won't be the last. It's an original revue by talented Charles Gaynor, who turned out the skits, lyrics and tunes. Opening in Pittsburgh night after 'You Never Know,' which stars Lupe Velez, there were critical hints that the amateur offering was better.

This isn't entirely without foundation either, for Gaynor has done a bright series of sketches and tunes, plenty of which could find a spot in pro circles. Frederick Burleigh has directed it briskly and cast is good. Whole thing is witty, winning and waggish, closing most successful season in Playhouse's history.

Show's chief fault is that it's too prodigious, with curtain opening night not coming down until around 11:30. Sharp pruning, which has been going on since premiere, will improve it immeasurably. It should be running full speed this week, at which time some of the Broadway boys might do worse than to look in on what Gaynor has as well as several talented people in the cast.

Nobody's featured, but brunt is carried by Stephanie Diamond, who did lead in Playhouse's 'Accent on Youth' earlier this season. She's a good comedienne and places Gaynor's crack hillbilly lament, 'I'm In Love With the West,' higher among the revue's high-spots. Also registers as a nautch dancer, a la Fannie Brice, in 'I'm a No Good Woman' and in a flock of shrewd satirical sketches, lampooning international spies, the Statue of Liberty and Louella Parsons.

Best of the skits is 'Tobacco Road,' showing the effects of its censorship in different cities. Another lampoons child film stars, in which Jere McMahon does slick burlesque of a precocious eight-year-old; one satirizes intelligent tests; there's 'The Torch Bearer,' in which the Statue of Liberty complains about tourists running up and down inside her, and eternal triangle, London, Paris and Hollywood versions. Latter gets in some good stuff via Leopold-Greta.

Gaynor has turned out a couple of ballads that have possibilities, although his chief forte is comedy songs. 'I'm In Love With the West' is high-class and 'I'd Like to Be a Lady,' which Marjorie McCann sings effectively, is lyrically naughty. 'Even Stephen' is also okay and husky-voiced Mary Jane Donohue socko it over. 'I'm Not in Love,' sung by Harriet Engle, sounds as if it could go places, too.

Chorus numbers have been staged well by Gene Kelly, who also contributes several effective dance specialties, and pert, young Norma Shea clicks consistently with her ingenuing. Also doing a swell harelipped Ellie May in the 'Tobacco Road' number. Boy-girl numbers are handled nicely by Miss Shea, McMahon and Hope Day Kelly, with a lot of help in the sketches by Norman Porter, Alma Lind, Tom Wilmot, Jimmy Fitzgerald and Wilma Ziefel, latter a couple of 10-year-olds, who make the I. Q. lampoon, 'Act Your Age,' a standout. Music is furnished by two pianos, played by Gaynor and Ruth Levin, and just right for the intimacies of the 240-seat layhouse. Cohen.

# Play on Broadway

### ESCAPE THIS NIGHT

Melodrama in three acts (nine scenes) by Robert Steiner and Leona Heyert; presented by Robinson Smith. Staged by Robert Steiner. Settings, Harry Horner; costumes, Helena Pons. At the 44th Street theatre, N. Y., April 22, ' ; .80 top.

| | |
|---|---|
| Joe Gans | Frank Gould |
| Alfred Morton | Albert Bergh |
| Mrs. Underwood | Mrs. Charles Willard |
| Pete | Jack Tyler |
| Steve | Hume Croyn |
| Mrs. Richter | Ellen Hall |
| Mr. Richter | Arnold Korff |
| Policeman Murphy | Bradford Kirkbride |
| Sally Turner | Francesca Bruning |
| The Monocled Man | Gage Clark |
| Wilson 'Alabama' Rice | Walter Coy |
| Joan | Helen Golden |
| Eunice | Margaret Ormsby |
| Two Gossipy Women | Virginia Chauvenet<br>Irene Cattell |
| Miss Ellewood | Virginia Tracy |
| Jimmy | Ronald Brogan |
| Laurence Har | John Halloran |
| Mr. Brock | Calvin Thomas |
| Higgins | Donald Black |
| Inspector | Edward Butler |
| Ruth | Dorothy Littlejohn |
| Miss Sanders | Betty Jenckes |
| Mr. Winters | Robert Allen |
| Miss Clark | Virginia Chauvenet |
| Mr. Mathews | Maurice Wells |
| Ruth's Mother | Irena Cattell |
| Library Guard | Harry J. Fischer |
| Mr. Lawson | Donald Cameron |
| Rogers | Arthur Griffin |
| First Marine | George Mathews |
| Second Marine | Giles Kellogg |
| College Boy | Giles Kellogg |
| The Reading Boy | Peter Kinnell |
| The Business Man | Peter Carhart |
| Mr. Thompson | John Toll |

Others: Passersby, Nuns, People in Library, Hoboes, etc., Phyllis Cornell, Gertrude Clemes, Enid Cooper, Frances Kuy, Barbara Paige, David Wayne, Richard Freeman, Peter Carhart, Peter Kinnell, Daaron Darnay.

Slim prospects for this murder melodrama. It's clumsily written and ineffectually directed. Cast is large and, although there are no names, the nut appears too heavy for the show to get by on slim pickings, which is all it's likely to draw. Films do this sort of thing much better—and films of this type come a dime a dozen.

Play combines a number of familiar characteristics. It's a kind of now-you-see-it-now-you-don't 'Grand Hotel,' with a bagful of concurrent themes. Much in the manner of 'Small Miracle,' of several seasons ago. Whereas that opus was laid in a theatre lounge, this takes place in the New York Public Library. Again there's murder, robbery, seduction, blackmail and whatnot.

Main thread of 'Escape This Night' concerns international espionage. It deals with a terrorist gang representing a European dictatorship. This crew seeks to prevent one of its countrymen from writing an expose of conditions at home. He's threatened, his wife is blinded and later murdered. A publisher, who would issue his work, is also slain.

Other themes include an embezzling bank clerk, a couple of desperate down-and-outs trying to shake him down, a college football player and his girl cramming for an exam, a couple of schoolgirls playing hockey, the degenerate film star who seduces one of the schoolgirls and the library clerk who spends his tips splurging the girls to lunch.

While the juggling technic of keeping all these subjects in the air at once is familiar enough, it's too much for authors Robert Steiner and Leona Heyert. One or two brief moments manage to arouse gripping tension in the audience, but generally interest is dissipated in the hodge-podge of trivialities.

'Escape This Night' leaves too many questions unonswered. And where he has failed as a playwright, Steiner hasn't mended things in his direction. His staging is diffused and the pace leisurely, where all the component themes should be knit cohesively and the pace should add to the suggestion of pursuit and mounting terror

Among the players, several give persuasive performances. Arnold Korff has some fine scenes as the writer, prey of the gang, but frequently he speaks unintelligibly. Ellen Hall, as his wife, admirably portrays the groping horror of a blind old woman amid rushing, cruel surroundings.

Jack Tyler and Hume Cronym are credible as desperate hoboes. Helen Golden and Margaret Ormsby bring the two schoolgirls to life; John Harloran is properly loathesome as the picture star, and Gage Clark does what's possible with the 'Monocled Man.' Francesca Bruning and Walter Coy aren't able to resurrect the leave interest from dullness.

Most striking and interesting about 'Escape This Night' are the settings of Harry Horner. Most effective is the one showing the front steps of the library, with one of the crouching lions. But when sets overshadow the action of a whodunit, it's a danger sign for the boxoffice. *Hobe.*

## Catholic Actors

(Continued from page 55)

'George, hang onto your dancing shoes 'and I'm glad I did—I'm still doing the same three steps.'

**Shrinks in Water**

Gene Buck, as toastmaster, was in excellent tri , complimenting Cohan for his love of God, family and country. He quickly introduced the Guild's chaplain, Father John White, one of the wittiest of the organization's speakers. He hails from Staten Island, which he claims is the biggest of New York's five boroughs—at low tide. He started out by saying: 'If the Pope thinks he can give me a greater honor than that of sitting at the table with George Cohan, I'd like to know about it.' He was followed by a church dignatary, Mgr. Lavelle, who has been pastor of St. Patrick's cathedral for 50 years.

Al Smith was cheered when he rose to josh with Father White and note the presence of Otis Skinner, who 'played the part of a banker when they were in good repute.' Smith said that history is largely reported in song, but none had given greater inspiration than Cohan's 'Over There.'

Bugs Baer was more sedate in his remarks, which included: 'Talent knows what it's doing; genius doesn't. Talent gives the public what it wants. Genius makes the public like what it gives.'

Smith seized the Baer comment which 'suggests to me that the government is being run by genius.' Former governor amused the throng by singing an early Cohan number, 'Come on Downtown,' which led John B. Kennedy to crack, 'I never knew that the governor had what we call a mixed basso-profundo.'

**Hitch-Hiker**

Baer said of Cohan, 'Although his wagon is hitched to a star and mine is not, no one can stop me from thumbing a ride. I have watched him and followed him as a columnist—but not a Broadway columnist. I will not crawl through a keyhole, but I might sneak through a window . . . There is a rule to leave 'em always laughing when you say goodbye . . . No speaker can wear out his welcome and the seat of his pants at the same time.'

Skinner was at ease before the microphones, WMCA staying on the air until the finale. Recalling days in hiladelphia with Jerry Cohan, Skinner spoke of when salaries were so small 'we couldn't see 'em—and didn't get 'em.' Major Bowes read his address, explaining that he can't make a speech: 'I make notes on the program and napkins, but when I stand up, my mind sits down.'

Among other speakers of those introduced on the dais were Jesse Jones of the Reconstruction Finance Corp, Merlin H. Aylesworth, David Warfield, Sam H. Harris, James A. Farley, Dan Frohman, Justice Ferdinand Pecora, Paul Block, Arthur Hopki , Joseph P. Tumulty, Wallace Ford, James Montgomery Flagg, Donald Brian, Edward P. Mulrooney and Dudley Digges.

### Della's Stage Debut

Los Angeles, April 26.

Della Lind, Vi nnese warbler imported by Metro, will make her American stage debut in the L.A. Civic Opera Assn's presentati 'The Student Prince.'

Offering opens Ma harmonic.

# Chi Has Only Two Shows Current; 'Star Wagon' $14,000, 'Service' $6,500

Chicago, April 26.

Only two shows in town. 'Star Wagon' is managing the five-figure mark, but is nevertheless under hopes for a New York hit with two star names. Goes out this Saturday (30) and will be replaced immediately by 'You Never Know,' first musical this town has seen in many months.

They're about ready to call it a stay here for 'Room Service,' which somehow hasn't been able to get started.

**Estimates for Last eek**

**'Room Service,'** Selwyn (9th week) (1,000; $2.75). Up slightly with Easter week to $6,500, but still mild.

**'Star Wagon,'** Grand (2d week) (1,300; $2.75). Winds up here on Saturday (30) and moves eastward; took nearly $14,000 last week; previous week was under-quoted; actual count was $10,200.

**'Big White Fog,'** reat Northern. Colored drama getting a play.

**'Spirochette,'** Blackstone. Play ased on history of syphili opens is Thursday (28).

## 'WALTZES' MILD $14,000, WASH.

Washington, April 26.

Maybe it's the division of the town's legit audience, Gilbert and Sullivan troupe at Rialto and 'Three Waltzes' at National, or maybe customers are still scared by last musical to hit town ('You Never Know'), but for some reason grosses are off.

Current is 'Yes, My Darling Daughter,' with John Barton's 'Tobacco Road' company due Monday (2).

**Estimates for Last Week**

**Three Waltzes,'** National (single week) (1,698; $3.30). Far below hopes, slipping to approximately $14,000; sad, considering show's nut.

**Gil rt and Sullivan Rep.,** Rialto (1st week) (1,683; $1.50). Repertory including 'Mikado,' 'Pirates,' 'Pinafore' and 'Trial by Jury,' not up to hopes, stopping at approximately $6,500.

## 'DAUGHTER' 9½G, BALTO; STOCK TRY CURRENT

Baltimore, April 26.

Full week currently, with 'Three Waltzes' at Ford's, and debut of new stock company at the indie-booked Auditorium. Opener is 'High Tor', with Jean Muir and Philip Huston.

Stock try is scaled at $1 top, with matinees at 41c. and 58c. Four weeks' bills are: 'Tonigh at 8.30,' with Norma Terris; 'They Knew What They Wanted', with Sally Rand, and 'Pygmalian', with Sylvia Sydney, besides 'High Tor'.

'Gentlemen Need a Shave,' new Ben Gross—Charles Washburn comedy, is to preem at the Maryland May 3.

**Estimate for Last eek**

**'Yes, My Darling Daughter,'** Ford's (single week) (1,900; $2.22). Attracted steady play and good profit at $9,5 ; demand for lower priced seats.

## 'Daughter' O.K. $12,000, On a Triple-Split-Week

New Haven, April 26.

Florence Reed company of 'Yes, My Darling Daughter' chalked up a satisfactory $12,000 last stanza in a triple-split week. Dates included the Playhouse, Providence, Monday and Tuesday (18-19); the Bushnell Auditorium, Hartford, Wednesday (20), and the Shubert here, Thursday through Saturday (21-23).

Show is in Newark this week, then folds. 'You Can't Take It With You' is current (25-27) locally. 'Lady at Large' plays a tryout Friday and Saturday (29-30).

**Estimate for Last**

**'Yes, My Darling Daughter,'** Shubert (1,7 ; $2.20). Not too good here; about $3,500 for four performances in three days.

## 'TAKE' $7,500 WEEK

Buffalo, April 26.

'You Can't Take It With You' got by okay last week in a split stanza between Hamilton, Ont., and the Erlanger here. Total gross of $7,500 was not skyrocket, however. Local date contri uted $4,000 to the total.

Troupe is splitting this week between New Haven and Providence.

## Road Legit Grosses

Estimated total grosses last week .......... $256,500
(Based on 25 shows)
Total grosses same week last year...... $170,000
(Based on 13 shows)

## 'BOY' O.K. $9,500, 'TAKE' $9,000, S.F.

San Francisco, April 26.

Closing notice for 'Golden Boy,' with Francis Lederer, has been posted at the Curran theatre. Play moves to Los Angeles after three weeks here. Excellent biz being done by 'You Can't Take It With You,' at the Geary theatre, is responsible for decision to extend the engagemnt from the originally planned five weeks to seven. 'Judgment Day' closed at the Alcazar Saturday, April 23, with the Western premiere of 'Prologue to Glory' scheduled for May 16.

**Estimates for Last Week**

**'Golden Boy,'** Curran (2d week) (1,771; $2.75). Fetched fair enough $9.500 last week; one more to go; Helen Hayes next at the house in 'Victoria Regina' some time next month.

**'You Can't Take It ith You,'** Geary (4th week) (1,550; $2.75). Dropped off a bit more than expected last week but still fine $9,000.

**WPA**

**'Judgment Day,'** Alcazar (2d-final week) (1,269; $1.10). Folded Saturday (23) after two weeks of good biz.

## HELEN HAYES DRAWS $42,800 IN MIDWEST

Wichita, April 26.

Continuing her triumphal cross-country march in 'Victoria Regina,' Helen Hayes here last Saturday night (23) wound up a week of one-nighters with a total gross of 2,800. Week's bookings included stands at the Melba, Dallas, Monday and Tuesday (18-19); Shrine Auditorium, Oklahoma City, Wednesday (20); Convention Hall, Tulsa, Thursday and Friday (21-22), and the Forum in this town Saturday (23).

Show is splitting this week between the Auditorium, Denver, and the Paramount, Salt Lake City.

## 'Never Know' Disappointing At $20,000 in Pittsburgh

Pittsburgh, April 26.

'You Never Know' was something of a disappointment last week at the Nixon. Town hadn't seen a musical all season and was figured a mop-up, but didn't produce according to expectations at all.

Nixon has 'Tobacco Road' current at $1.50 top for fourth visit here, giving hardy perennial six weeks in all at same spot, and then 'Three Waltzes' comes in next Monday (2).

**Estimate for Last Week**

**'You Never Know,'** Nixon (single week) (2,100; $3.30). Just a little better than $20,000 for first musical of season; not up to expectations; big advance sale and opened to virtual capacity, but fell away to nothing when notices came out; reviewers without exception were lukewarm.

## ABBEY $3,000, MPLS.

Minneapolis, April 26.
Minneapolis, April 25.

Abbey Players met only a mild boxoffice response at the Lyceum. Depression, which is banging amusement grosses all along the line, got in its whack.

**Estimate for Last Week**

**Abbey Players,** Lyceum (2,200; $2.20). Critics raved, but the best the troupe could cop was a measly $3,000 for three nights and a matinee; San Carlo Grand Opera Co. finished the week for another $4,500; 'You Never Know' pencilled in for early June.

## ' DEAD 2G, B'KLYN

Brooklyn, April 26.

'Sex for Sale' was a floperoo at Werba's Brooklyn last week. George Abbott production of 'Brother Rat' arrived this week at the Majestic.

**Estimate for Last Week**

**'Sex for Sale,'** Werba's Brooklyn (single week) (1,500; $1.10). Measly $2,000.

## 'Caesar' Tepid $6,700 Two Midwest Stands

Madison, Wis., April 26.

Touring company of 'Julius Caesar' had a disappointing stanza last week between Milwaukee and this town. 'Streamlined' version of the Bard's drama racked up only $6,700 for the two dates. Show plays the Cox, Cincinnatti, this week and goes to Royal Alexandra, Toronto, next week. Business for those two stands will determine whether Alex Yokel will keep it touring or call a halt for the season.

**Estimate for Last Week**

**'Julius Caesar,'** Parkway (1,234; $2.20). Drama did a okay $1,700 for two performances here Saturday (23).

Milwaukee, April 28.

ercury Theatre production of 'Julius Caesar' fared badly here for eight performances in six days last Sunday through Friday (17-22).

**Estimate for Last Week**

**'Julius Caesar,'** Davidson (1,434; $2.75). Drama drew a measly $5,000 in eight tries over a stretch of six days, keen disappointer.

## 'PINS' $12,000, 'TAKE' 11G, PHILLY

Philadelphia, April 26.

Of the four shows that bowed in last wek, two are sticking along with signs of successful stays. Cornelia Otis Skinner's solo-drama was only intended for a single week at the Forrest and 'Private Enterprise,' the tryout written by Amory Hare, local authoress, could not make the grade at the Erlanger and folded Saturday (23).

ins and Needles,' labor union revue, got raves from the crix, and has already announced a third week. House has no bookings and show is inexpensive to operate, so it may settle down for a sizable stay.

Crix are handling Maurice Schwartz's 'Brothers Ashkenazi' at the Walnut as a regular legit and first-stringers all covered it last night (Monday). It may hold over. Season's last two bookings, so far announced, are 'Tobacco Road's' return to the Erlanger on May 9 and 'Star Wagon,' skedded for the Forrest May 16.

**Estimates for Last Week**

**'Pins and Needles,'** Chestnut (1st week) (1,644; $2.28). Crix gave it raves and biz picked up nicely, with management announcing yesterday (Monday) that laborite revue would hold for a third week; nice $12,000 for low-scale revue.

**'Private Enterprise,'** Erlanger (single week) (1,800; $2.28). Tryout of new play by Amory Hare, local authoress, couldn't make the grade after second-stringers panned it; $5,000 and out Saturday (23); 'Tobacco Road' in next, May 9.

**'You Can't Take It with You,'** Locust (1st week) (1,400; $2.75). Comedy hit which originally opened here back with another cast; some doubt about its length of stay, with management taking extra advertising space; $11,000.

**'Edna, His Wife,'** Forrest (single week) (2,000; $2.28). Cornelia Otis Skinner's solo-drama; $7,500, okay.

# Holiday Biz Below B'way's Hopes, Easter Prosperity May Be 'Myth' But Increases Up to 6G Registered

## B'way Legit Grosses

Estimated total grosses last week ........... $279,300
(Based on 23 shows)
Total grosses same week last year...... $299,500
(Based on 25 shows)

Theatre attendance on Broadway was generally under expectations last week, with some showmen saying that Easter prosperity is rather a myth. No doubt that the agencies found the going tough, for many visitors during the school holidays had short bankrolls and patronized the box offices dir t.

Yet there were some hearty spurts, enough to prove there was more patronage than conceded. Matinee business was strongest almost all along the line, with the better known presentations getting the call. 'I'd Rather Be Right' advanced $4,500 and registered a $25,000 gross.

Biggest increase was scored by 'The Women,' advertised in its last week. With two extra afternoons (10 performances) the take went over $17,000, or $6,000 better than the previous week. Show has been held over at the Barrymore, where the scale top has been lowered to $2.20.

'Susan and God' also grossed $17,000 without additional matinees, and 'On Borrowed Time' is credited with slightly more, but in 10 performances. 'Golden Boy' played the same number of times for immaterial pick-up, takings approximating $14,000. 'Shadow and Substance' moved up close to $14,000 in nine times. 'Our Town,' also with one extra show, got as much money, a boost of $3,000.

Revival of 'The Circle' at the Playhouse began strongly with a starting week of $12,000. 'Escape This Night' drew a doubtful press late last week at the 44th Street. 'What a Life,' which was rated promising at the Biltmore, had a moderate week of $8,500, but is still figured to be a stayer. 'Mice and Men' more than doubled its business because of the critics prize, as detailed elsewhere in this section.

This is the final week of 'The Sea Gull' at the Shubert, where the revival again topped the straight plays with an approximate $20,000. 'Right' got more coin. Another revival, 'A Doll's House,' bows out this week. It was slated to close last Saturday (23), but held over, with a cut-rate ticket deal. 'Trojan Incident,' a WPAer, opened mildly at the St. James also late in the week.

Next week lists three new shows: 'Washington Jitters,' which has been previewing at the Guild for the past three weeks; 'The Man from Cairo,' Broadhurst, and 'Eye on the Sparrow,' Vanderbilt, postponed from this week.

**Estimates for Last Week**

**'All the Living,'** Fulton (5th week) (D-913; $3.30). Dropped off and chances now seem doubtful; business under $5,000, with the cast agreeing on a cut.

**'Bachelor Born,'** Lyceum (13th week) (C-957; $3.30). Business fairly good, but under expectations last week; about regained previous pace, but with an extra matinee; $10,000.

**'Escape This Night,'** 44th Street (1st week) (D-1,323; $3.30). Opened Friday night (22); press tepid and chances questionable.

**'Eye on the Sparrow,'** Vanderbilt. Postponed until next week.

**'Golden Boy,'** Belasco (25th week) (C-1,000; $3.30). One of several presentations which played two extra matinees last week; afternoons better than nights; gross not far from $14,000.

**'Hooray for What,'** inter Garden (21st week) (M-1,671; $4.40). Recovered partially, with takings going near the $19,500 mark; slate for most of May, but summer holdover not certain.

**'I'd Rather Be Right,'** Alvin (25th week) (M-1,355; $4.40). Jumped up $4,500, gross going to nearly $25,000; list leader pointing for summer stay.

**'Of Mice and Men,'** Music Box (22d week) (D-1,019; $2.75). Critics prize more than doubled the taking of Holy Week; gross nearly $11,000 and winner should stay awhile.

**'On Borrowed Time,'** Longacre (12th week) (D-1,019; $3.30). Went to 10 perfor ances last week (two extra matinees) and registered one of best grosses of engagement; $17,000 but not capacity.

**'Once Is Enough,'** Miller (10th week) (C-944; $3.30). Business not up to expectations in offish Easter going; played one extra performance, with takings around $10,000.

**'Our Town,'** orosco (12th week) (D-961; $3.30). ention in connection with the critics prize helped lift business here last week; nine times for gross around $14,000 mark.

**'Room Service,'** Cort (49th week) (C-1,064; $3.30). Improved somewhat last week during the holiday going which was generally none too good; $7,500.

**'Schoolhouse on the Lot,'** (Ritz (5th week) (C-918; $3:30). Laugh show going along to better than even break; Sunday nights show steady improvement; over $6,000 claimed.

**'Shadow and Substance,'** Golden (13th week) (D-789; $3.30). Selected as best foreign play of season; holds to excellent business, with last week's gross going upward; around $14,000 in nine times.

**'Susan and God,'** Plymouth (29th week) (CD-1,106; $3.30). Held to eight performances, but improved about $2,500, sending gross over $17,000 mark; three-matinee schedule proving good thing.

**'The Women,'** Barrymore (69th week) (C-1,048; $2.20). Holding over after being announced to close last Saturday (23); in 10 performances around $17,300; scale reduced from $3.30.

**'Tobacco Road,'** Forrest (228th week) (G-1,107; $1.65). Run leader fair last week with gross around $5,000; still making some profit and indefinite.

**'You Can't Take It With You,'** Booth (71st week) (C-708; $3.30). Climbed back to previous pace and looks sure of entering summer period; last week's takings topped $11,000.

**'What a Life,'** Biltmore (2d week) (C-991; $3.30). Word-of-mouth may send new laugh show to better money; moderate so far, with last week's takings at $8,500.

**'Whiteoaks,'** Hudson (4th week) (D-1,094; $3.30). Two extra matinees last week sent pace toward $13,000 mark; afternoon draw is feature of engagement starring Ethel Barrymore.

**Added**

**'Pins and Needles,'** Labor Stage (19th week) (R-500; $2.75). First company on tour, but labor group's revue continues strong draw in small house; over $8,000 estimated.

**'The Fireman's Flame,'** American Music Hall, beer hall meller, announced to close Sunday (30).

**Revivals**

**'The Circle,'** Playhouse (1st week) (C-879; $3.30). Favorable press; first week's business very go ; $12,000.

**'The Sea Gull,'** Shubert (4th week) (D-1,387; $3.30). Final week; business held to excellent pace again, with takings around $20,000; Lunts going to London.

**'Heartbreak House,'** Mercury opens Friday—29 (622; $2.20). 'Julius Caesar' laying off after 23 split weeks, but will alternate with 'House.' Rep chalked up ,500 last week.

**'A Doll's House,'** Broadhurst (17th week) (1,116; $3.30). Was slated to fold last Saturday (23); cut-rate deal ade for holdover week; $8,000.

**WPA**

**rojan Incident,'** St. views not so good.

**'One Third of a Nation,'** Newspaper' show.

**'Prologue to Glory,'** Elliot. Co tinues to attract some attention.

**'Haiti,'** Lafayette, Harlem. ored cast drama.

## Boston All Lit Up; 'Women' $15,400, 'Angel' 16½G, 'Man from Cairo' $8,100

Boston, April 28.

Four current shows in town last week, but 'Eye on the Sparrow' closed Saturday (23). 'Married an Angel,' Dwight Wiman musical by Rodgers and Hart, was labeled a hit by local press, and tallied top gross for the town, but still under its proper figure. 'The Women' had a sock opening because the locals figured a lot of lines would be cut after that. Actually, censorship was negligible and biz softened for the remainder of week.

'Man from Cairo' was an unknown quantity when it preemed here, but Hub reviewers, with one exception, handed it orchids, then the response perked up through the week. 'Eye on Sparrow' did dismal trade i ine performances.

more and more li tanza $8,100.

**'I Married an Angel'** (1st week) (Shubert, 1,590; $3.30). riginally booked for two frames, musical will stay for three; first week okay $16,500.

**'The omen'** 1st week) (Colonial; 1,643; $2.75). Already established as a 'must' by local crix; looks as if it might last four frames; opening week hefty $15,400.

**'Eye on the Sparrow'** (single week) (Plymouth; $2.75). Lame notices and tame tally; sad $1,000; out Saturday (23).

## 'RAT' 8G, TORONTO

Toronto, April 26.

ouring company of 'Brother at' rang up a nice take of $8,000 at the Royal Alexandra theatre here last week.

Show moved on to Montreal for the current sessio

# St. Louis Orch Burns Over Pay Cuts, Flays Golschmann's Hike to $30,000

, April 26.

A storm began brewing last week in the ranks of the 90 tooters of the St. Louis Symphony when, after Geo. W. Spearl, chairman of the society's executive committee, announced a slash of wages for the tooters and other personnel, it became known that Vladimir Golschmann, the conductor, was given a $2,000 hike in pay when he recently inked a new three-year contract.

When Golschmann signed, no announcement was made that his stipend had been upped to $30,000 and, because of the usual losing season, it was assumed he signatured the papers at the old figure, $28,000. Last week, following a compromise with the city, whereby the Symph society would pay $10,000 for next year's rental for the opera house in the Municipal Auditorium, instead of the requested $15,000, Spearl announced expenses for the 1938-39 season would be slashed $19,700 to reduce the operating budget and a deficit of $40,000.

It was stated that the tooters and office workers had voluntarily agreed to work with the executive committee in reducing the heavy nut, as the society had promised the city officials it would trim its financial sails when the two-year compromise contract for the auditorium was sealed.

Since it became known that Golschmann's pay has been upped for the next three seasons, the tooters are reported to be preparing for concerted resistance to the proposed cut, which is understood to be about 5%. Sam P. Meyers, president of Local No. 2, American Federation of Musicians, said the tooters, some of whom receive more than the union scale calls for, feel that the reduction would be inequitable even though the society has committed itself to a series of economies.

Meyers further said many of the tooters were disgruntled because the pay slash was not announced until after the other leading Symphs of the country had completed their engagement of tooters for the 1938-39 season. It's reported that several of the tooters had received offers to join Symphs in other cities but thumbed them down on the understanding that no changes would be made in salaries here for next season.

At the time, the Symph society worked out its two-year compromise rental contract with the city, whereby it would pay $10,000 for next season and $15,000 for the following, it filed a statement of expenses with the auditorium commission. The salaries of tooters, office workers and Golschmann were placed at $199,500. Deducting $28,000 for the conductor's salary, there would be a balance of $171,500 on which to assess a pay cut. Recently the society announced that the chorus, which cost $3,000 per season, would be eliminated.

## COAST SYMPHONIES BID FOR 4 NAME MAESTROS

Hollywood, April 26.

Four internationally known conductors have been invited to take part in the 'Symphonies Under the Stars' series at Hollywood Bowl, beginning July 12.

In addition to Dr. Otto Klemperer, conductor of the Los Angeles Philharmonic, the maestros invited are Bruno Walter, Jose Iturbi and Arthur Rodzinski.

## Daum Joins Rubinoff

icago, April 26.

Margaret Daum, soprano, joins Dave Rubinoff, filling breach caused by absence of pianist Jacques Fray, who left hurriedly for Paris, where his father is ill. Braggiotti, other half of piano team, continues.

Rubinoff is now in seventh month of tour, and is booked through May 16, when he will lay off for six weeks.

## MARTINELLI'S $7.000

San Antonio, April 26.

ct tenor. at ursday (21 Mu icipal mor than rogram.

## Symph's Stamp Tax Nixed

Tulsa, April 26.

A scheme to finance Tulsa's symphony orchestra through issuance of 'baby' savings stamps faces collapse with issuance of a pronouncement against the plan by the Independent Retail Grocers Association of 131 members.

Better Business Bureau also condemned the idea with statement that it would result in certain business' carrying too great percentage of the load.

## PHILHARM. 18G N.Y. CONCERT TOPPER

New York concert biz is flagging the finish line. Town had one of its slowest weeks in some months. Philharmonic showed the main sign of life in four concerts at Carnegie Hall. One more week to go for the Barbirolli-batoned group.

Debut of Vicente Gomez, Spanish guitarist, stirred some interest at Town Hall. Bow of Veloz and Yolanda, ballroomologists, as concerters only sputtered as far as money was concerned, although it drew a packed house.

**Estimates for Last Week**

**Philharmonic-Symph,** Carnegie Hall (2,760; $3-60c.). Showed to a big $18,000 for four concerts, with John Barbirolli conducting; Saturday night (23) student concert drew sellout at $1.75 top, with capacity also on Thursday night (21) and Friday afternoon (22), the former being mostly subscriptions. Soloists on Saturday and Sunday were Harry Glantz, trumpet, and Eugene List, piano. Current week is the finale.

**Veloz and Yolanda,** Carnegie Hall (2,760; $2.75-$1.10). Debut of ballroomologists, more prominent in niteries, in concert drew only so-so $2,800 on Sunday night (24), despite a packed house; plenty of paper.

**Vicente Gomez,** Town Hall (2,760; $3.10-1.10). Concert debut Sunday night (24) drew reported $1,065, phenomenal for a newcomer; only $109 was done at the box office, with the rest subscriptions; he's had quite a radio buildup.

## DET. SYMPH ASKS MORE TIME IN NOTE PAYMENT

Detroit, April 26.

Facing loss of Orchestra Hall through foreclosure on mortgage, Detroit Symph is seeking an extension of redemption period on mortgage. Unless the society redeems its defaulted mortgage by paying $137,382, title to building will revert to bondholders. Murray G. Patterson, general manager of society, said he is seeking an arrangement for society to rent hall from bondholders.

Foreclosure proceedings were instituted by bondholders in May, 1937, and the hall was sold at public auction l t fall to the Detroit Trust Co. and society given six months to redeem, as required by law.

## Ormandy, Iturbi to Split Baton at Norwalk Festival

Norwalk, Conn., April 26.

Eugene Ormandy and Jose Iturbi splitting stick chore in three concerts New York Philharmonic will do at Silvermine festival Aug. 18-21. Ormandy batons first and thir , with Iturbi second.

Morning children's concert also skedded with either Ernest Schelling or Rudolf Ganz on apron.

inneapolis, April 2 .

Artists already signed up for next season's Minneapolis Symphony season include Jascha Heifetz, Kirsten Flagstad, Sergei Rachmaninoff and the Monte Carlo Ballet Russe.

## San Carlo, 4½G, Mpls.

Minneapolis, April 26.

San Carlo Opera Co. grossed fair $4,500 for three nights and a matinee at the Lyceum here.

Presented a change of bill nightly. Top was $2.20.

### CHATTER

'Please Cancel Lightly,' story by Joseph Marshall, has en bought by Satevepost.

Ernest ingway, a Scribner author, itch publishers for his next book.

Lawrence Riley has left Hollywood and is back in Warren, Pa., writing a new play.

Barrows Mussey now managing editor of The Sphinx, ician's trade rag.

Paul Magriel has written a history of ballet which Kamin Publishers will publish May 1.

Owen Francis, Hollywood scribbler, turned over his new novel, 'One an Lived,' to Knopf.

Margery Sharp has returned to England after finishing a dramatization of 'The Nutmeg Tree.'

Pat McKeefe, for seven years a researcher at Time mag, was given six months' severance pay last week.

Doris Denbo, former film editor of the Hollywood Citizen, has been named western editor of odern Movies.

Thomas A. Burton, art director for This Week, retiring. Successor is Edward F. O'Connell, assistant art director.

John Russell, 5, signatured by 20th-Fox. Is son of Russell Countryman, art director for Associated Press in the west.

M. L. Annenberg, who recently brought offices of all his publications to Philly in interests of efficiency, sending them back to Chi.

Willi King, music itor of the N. . , leaves for ollywood May 1 to write a series of articles on music and musicians in fil

Katherine White with The New Yorker as an editor since its first years, will henceforth be with that publication on a part-time basis.

Bernard Tassler, the ex-City Hall reporter and La Guardia campaign p.a., has scribbled a film original titled 'The Life and Loves of Lord Byron.'

Eddie Hitchcock, former Coast press agent, has compiled a book of screen and stage data titled 'Who's Where the Hollywood Show World.'

tis Ferguson, assistant editor of the New Republic, and that mag's film crick is ghosting the Benny Goodman autobiography titled 'King of Swi ,' ich Random House will issue.

Nominees to the Newspaper Guild convention from New York include Herbert Drake of the N. Y. Herald Tribune's drama department and Moe Iushevitz of the Theatrical Press unit.

Roy E. Larsen, publisher of Life, acquitted of obscenity charge for peddling mag in the Bronx, N. Y., with stills from 'Birth of a Baby' film. Publication of the stills was promoted by Geraldine Sartain, p.a. for the film.

Candace Stone has written a book titled 'Dana and the Sun,' with an introduction by William T. Dewart, president and publisher of the N. Y. Sun. Reviews the operation of the paper under Charles A. Dana from 1868-97. Dodd, Mead published.

Laszlo Schwartz, Hungarian columnist-caricaturist, back in New York after another world tour gathering material for his new book on humor, its origins, causes and effects Trip was self sustaining, Magyar working his way and making it pay with funny features for local sheets in countries hit.

### LITERATI OBITS THIS WEEK

**Nelson W. Durham,** pioneer Spokane (Wash.) newspaper man, died April 15. He was former editor and at time of death chief editorial writer of Spokesman-Review.

**Cyril Issane,** 46, former managing editor of The Wall Street Journal, and with that paper since 1919, died from a heart attack on April 24. He has been associated with Brooklyn and Manhattan newspapers since his youth. His widow, former Claire Dreyfoos, survives. He was a brother-in-law of lanche Merrill, radio script writer.

## Boost Okla. Symph

Oklahoma City, April 26.

Dean Richardson, director of the Oklahoma Federal Symphony, announces plans to increase the group from 65 to 85 members, with soloists, chorus and ballet to be added.

Ten concerts are scheduled for the Lincoln Park amphitheatre (14,000 seats) this summer, beginning June 28.

# *Literati*

### Front Page Ball

Annual Front Page Ball was tossed Friday night (22) by New York newspaper women at the Astor hotel. Three cash awards of $100 each for prize stories were presented by Mrs. Franklin D. Roosevelt, who was guest of honor. Winners were arian Young of NEA for the consistently best column in a specialized woman's field, conducted under the name of Alicia Hart; Dorothy Dunbar Bromley of the N.Y. World-Telegram, for the most distinguished column of criticism and comment, and Eunice Fuller Barnard of the N.Y. Times for the best work of reporting, an exclusive story on the scientific education planned for the Dionne quintuplets. Honorable mention for reporting was also made of Ruth Reynolds of the N.Y. Daily News and Helen Worden of the N.Y. World-Telegram.

Entertainment was furnished by Sheila Barrett and Corinna Mura, with Fred Keating as master of ceremonies.

### rson-Allen Duck Rap

Drew Pearson and Robert S. Allen, co-authors and co-columnists, last week escaped a stiff damage suit when the U. S. Court of Appeals held that the Washington Publishing Co., Inc., had squawked too late in its attempt to sue for asserted plagiarism of an article which appeared in the December, 1931, issue of the Washingtonian—a monthly magazine—now deceased.

Publishing company was barred from recovery by its failure to deposit promptly a copy of its magazine, as required by the copyright law, according to an opinion written by Associate Justice Justin Miller. Issue, containing the piece which Pearson and Allen allegedly lifted to make a chapter for their nationally-known 'More Merry-Go-Round,' was not sent to the Congressional Library until 14 months after its publication, and six months after 'More Merry-Go-Round' had jelled the blood of countless prominent Washingtonians. Court's decision held that the publishing firm could not recover—regardless of the merits of the case, which were not considered—because of tardiness.

Boys—who for several years have been the bugaboo under the bed for every stuffed shirt and political poohbah in Washington—are working on a new political expose, but won't say what or when.

### 'Mad, Glorious, Stupendous'

Three way femme controversy is presently being carried on over Evelyn Seeley's unfavorable review in the Newspaper Guild reporter of Irene Kuhn's 'Assigned to Adventure.' Contention in the Seeley critique, was that Miss Kuhn was just another 'romantic reporter,' to whom everything was 'mad, glorious and stupendous." Piece was captioned 'She Covered a World and Saw Nothing,' review stating it was a book of platitudes.

Evelyn Seeley was formerly an active Guild member at the N. Y. World-Telegram. She was dropped from that sheet several years ago by Lee Wood, managing editor.

Going to bat for Miss Kuhn, Inez Calloway Robb (Nancy Randolph) and several others at the N. Y. Daily News came to 'Adventure's' defense. Protesting the review as based on 'bitter personal dislike,' she requested that her subscription to the Guild Reporter be cancelled. Todd Wright of the News also voiced objections.

### Woman's Day Now Sold

Woman's Day, istributed by the Atlantic and Pacific Tea chai , and which started as a giveaway is now sold for two cents. Eileen Tighe has been appointed managing editor succeeding Haydie Yates, the first editor.

Other editors of the mag are Vera Connolly, Cora Anthony, and Mabel Hill Souzaine. Mag guarantees a circulation of 1,000,000.

### Job Security Arbitration

Newspaper Guild won a compromise victory for the Philly Inquirer last week in the first out-and-out test in the country of its demand for job security for its members. Three members of the paper's staff who were fired for economy were not ordered reinstated, but were placed, at the decision of an arbitrator, on a preferred list for rehiring. They are Clarence Campbell, James Gilson and Tom Turnbull.

Arbitrator Robert , of the faculty of the University of Pennsylvania, held that economy was a just cause for dismissal. But he ordered that future cannings for this cause be by seniority. Campbell had been with the Inq for about 12 years.

Brecht apparently justified his opi ion on grounds of present economic conditions. He commented, however, that 'the Inquirer declined to submit data concerning its capital structure to the arbitration proceedings,' and presented 'only meager information concerning net earnings for the years 1934 to 1937.'

Guild took as significant a phras in Brecht's opinion in which he contended that the management's saving must be balanced against the hardship sustained by the dismissed employes. He declared, 'The human misery involved must be appealed to the corporate conscience.'

### Martin Back to Ti

John S. Martin, who has been away from Time, Inc. on a year's leave of absence, following a ruction with Henry R. Luce last year, returns shortly to take over the national affairs department. Noel F. Busch, who has been in charge of that department, goes to the job of film critic presently held by John McManus. Latter shifts to transport. Erland Echlin who has been handling transport goes abroad on a European assignment.

Time group of publications are about due to sign a contract with the Newspaper Guild, covering wages, hours, severance pay, etc. Guild shop clause has been dropped.

Fortune researchers recently hu dled with editors, asking for a redefinition of policy, which is reported to have led to a better mutual understanding. Researchers were squawking because they did wor stories after premise was deter

Life researchers have recently lost their anonymity and are now listed in the masthead.

### Coast Eds' Plumage

Coast editors of the M. L. Annenberg publications have moved into swank ground floor offices in the Sunset Strip between Hollywood and Beverly Hills.

Local executives now include Carl Schroeder, editor of Screen Guide and western editor of Click; Evans Plummer, western editor of Radi Guide; Herb Bregstein, associate editor of Screen Guide, and Jack Albin, chief of the camera staff.

### Hulburd's Sales Trip

Merritt Hulburd, associate editor of Satevepost and former associate producer for Samuel Goldwyn, is i Hollywood on a search for story material for his mag.

He is trying to impress upon big name screen scribblers the added advantages of peddling their screen material via the printed pages.

### Wichita's Scene

Scene, new Wichita, Kas., 48-page, 10-cent local magazine went on newsstands in Wichita for first time Tuesday E. L. Wilhite is editor and W. G. Graham is associate editor of magazine which carries both local and national advertising.

Pictures are of local people, institutions and happenings with exception of several pages devoted to recent tornado in Columbus, Kas.

### Book Stores Vs. Book Clubs

Fair trade contracts omitting the book club clause were signed last week by William Morrow and the Channel Book Shop and Putnam Bookstore. These are the first actually signed in order to fight department store book clubs.

Publishers who have signified thei intention of issuing new contracts include Harper's, Putnam's, Coward-McCann, Reynal & Hitchcock. lu Ribbon, Lippincott; Dodd, ead; Houghton, Mifflin; Longmans, reen, and Doubleday, Doran. Others taking steps to mend their fair trade contracts include Macmillan, Harcourt, Brace, and Simon & Schuster.

### earst's Two Hub Tabs

Hearst's Boston American changed its format and went tabloid this week (25). Hearst now has two tabs Boston—the Record, a. m. nd the American, evening paper. bination advertising rates have been initiated. Sunday American will continue to be published in stan ard size.

Newspaper uild repor about 150 employees hav dropped.

## Broadway

D. A. Doran to the Coast next Monday (2).

Old 14th Street theatre is being demolished.

Sid Phillips and his wife sailing for Bermuda tomorrow.

Roy Harrah now with Will Green's booking office handling niteries.

Sash Beaumont at Wickersham hospital for int tinal operation.

Fanny Brice is giving up her N.Y. apartment, moving everything to the Coast.

Raoul Pene du Bois doing costumes for Marc Connolly's 'The Two Bouquets.'

Sam Pokrass, composer on th- Fox Coast staff, in town for several weeks.

Monogram Pictures has doubled its floor space in its new RKO building quarters.

Stuart Erwin and family arrive today (27) for a vacation an roadway shows.

Ralph Rolan, RKO publicity-sales contact executive, back from week's vacation in Cuba.

Belle Didjah, American dancer, due in Monday (2) after an extensive tour of Europe.

Francis Hart to p.a. Raymond Moore's Cape Playhouse, Dennis, Mass., this summer.

lan Corelli, Theatre Authority exec secretary, due back from Hollywood-Chicago trek Friday (29).

Georgie Price, now a broker, clearing through H. Hentz, & Co., severing his Engel & Co. association.

One of Gene Buck's children reported out of danger after strepticocci inf tion and maistoi itis.

Mae West in the Lobster restaurant Friday (22) night. Wore a black wig, but she didn't fool anyone.

Sam Stern, former chief artist for the Warners here, has opened a freelance office in the Herald-Trib building.

Leon and Eddie's inth anniversary in business being celebrated tonight at their West 52nd street institution.

Beulah Livingston has joined Artcinema under Charles E. Moyer, advertising and publicity director of that firm.

Lew Gensler setting back his England-Ireland-Norse country vacation jaunt until May 18 iling; was to have been the 4th.

Abel Cary Thomas, legal head of Warner Bros. for 17 years, has hung out his own shingle. He resigned from Warners about a year ago.

Len Gaynor, publicist-exploiteer ith 20th-Fox, out gunning for stray cats which have been picking on poultry at his New Jersey chicken farm.

Monroe Goldstein, Joe Penner's legal mentor and personal rep, preceded the radio comedian to New York by several days. Latter arrives Friday.

Tom Waller and Herb Berg, publicists with Paramount homeoffice, planning fishing at Oregon Inlet, Long Island, when they start vacations May 1.

Jeanette MacDonald and Gene Raymond put the Gotham hotel on the map for the autograph hounds like few other visiting celebs have done before.

John McLain is on a six-week's leave from the Journal-American to do a writing stint for David O. Selznick. He's en route west via Marion, O., his home town.

Edgar Kennedy, film comic, due in New York from Hollywood early next week on his way to London, where he's scheduled to make one or two English features.

Philip Goodman, former producer, turned author, has sold three plays to the Shuberts, 'Lady at Large' (in rehearsal), 'School for Taxpayers' and 'A Policeman's Lot.'

Billie Burke has postponed her return to the Coast until after the annual dance this Saturday (30) of the Ziegfeld Girls' club at the Hotel Plaza. Miss Burke's the club's honorary prez.

Jack Dempsey issues his Sunday cocktailery invites like fight passes, with different guesters billed on this order: James Barton vs. Jack Dempsey; Belle Baker, referee, Jimmy Dorsey, timekeeper.

George Abbott went to Pittsburgh Saturday (23) to catch a performance of Cole Porter's musical, 'You Never Know.' erely a friendly look-see; there's no chance of his helping on the book.

Manie Sacks, head of usic Corp. of America act department, went to Cleveland Monday (25) for the Shrine show. Goes to Philadelphia tomorrow (Thursday) and will be back in New York Monday (2).

Henry Herzbrun, former New Yor attorney, has Grant B. Cooper an Kenneth N. Chantry as associates with him in his private law practice in L. A. since resigning from the Paramount studio, Hollywood, as v. p.

Lionel Stander back to the Coast Monday (25) and directly into the Robert Taylor-Metro fight film. Has been vacationing east with Bern Bernard, his manager. Latter pr ceded Stander back by a couple days.

The niceties between the seasoned autograph hounds and the amateurs were elaborated upon by one of the stagedoor pests during Mae West's current stay at the State. The fine points between the ams and the experts are something to listen to.

Ludwig N. Foertsch, former asst. manager of the Hotel Astor, is asst. g. m. to Robert K. Christenberry, managing director of the International Casino. Latter is still v. p. and g. m. of the Astor as well, put in by the bank to o. o. the I. C. situation.

## Pittsburgh

By Hal Cohen

Jack Hooley still seriously ailing after more than a month in bed.

Ringling-Barnum circus will play annual visit to town June 6 and 7.

John Trent flew here in Lorenz Iversens' new plane from the Coast.

Herman Middleman's band back from their 30-day Pan-American cruise.

Mother and sister of rederick Burleigh, Playhouse director, here for visit.

Mrs. Samuel , wife of 20th's manager i ington, here for a visit.

Janice Cooper, in Playhouse revue chorus, daughter of Wilbur Cooper, old Pirate pitching star.

Jackie and Honey Wilson home for few days with their families between nitery dancing engagements.

Jay Griffith and William Penn hotel have called off their parting and he sticks as press agent.

Lew Leftons celebrated 20th wedding anniversary last week and the Lawrence Welks their seventh.

Flying Squadron, booze club next to Nixon stage entrance, and fave with legit performers, lost liquor license.

Ben Jaffe bedded with a bad cold and father, George Jaffe, has taken over active managershi of Casino temporarily.

Arthur Low asked by prexy of Theatrical Managers, Agents and Treasurers Union to call an organization mass meeting here.

Everett Hoagland's band will open the 1938 season at the Willows, a roadhouse, May 25. Music Coro. of America replaces Rockwell-O'Keefe as booker for the spot.

Rody P. Marshall, Jr., 20-year-old socialite son of Pittsburgh's most celebrated criminal attorney, late Rody P. Marshall, rehearsing dance orchestra composed of flock of local bluebloods and debuting at Webster Hall hotel here Friday (29).

## *Nazi Agitation*

(Continued from page 10)

He declared that the change in Austria has no bearing on Hungary, that the army is and will remain intact from political influence and no meddling with the constitution will be tolerated. Speech has done much to restore confidence.

Although trade is not yet back to normal, the Regent's message has calmed down spirits and favorable results are to be expected. Influx of provincial and foreign tourists coming for the Industrial Fair and for the Eucharistic Congress will help.

Hunnia and Filmiroda studio management, so far only leasing their studios to producers—except for official newsreels which are Filmiroda's own undertaking—propose to start production on their own if producers continue to hold back. It will hardly come to this, since the very real demand for Hungarian pictures will not lessen under any circumstances. On the contrary, any political readjustment with Czechoslovakia, which is certain to come about, will open a new important market for Hungarian pictures in that country, where so far they have been banned.

There is little pros ct of emigrant Austrian or German producers, actors, etc. Even if the 20% law didn't bar them, their work here would be heavily handicapped anyway by the language difficulty. Production of non-Nazi German-speaking films in Hungary is no business proposition because there is no place to show them. With the one exception of Switzerland, which is too restricted an area to warrant investment, there would be no market for them.

Entertainment trade in Hungary is overexpanded as it is. With Jewish patronage diminished, this is increasingly the case. There may be an increase in the tourist trade, as foreigners who formerly visited Vienna, Salzburg, etc., may be diverted into the Budapest channel instead. But for the moment the cutting off of Austria from western visitors is also a drawback to Hungary, since most tourists came here by way of Vienna.

Show business will pick u if there is a general favorable tren in agriculture and trade. ungarians' jack-in-the-box temperament will see to the rest, for as a nation they are only too glad to patronize entertainment in all its forms on the slightest provocation.

## London

Hassard Short in town, and may do a musical.

R. H. Gillespie off to Switzerland on a four weeks vacation.

Lilian Mary Baylis, founder of the Old Vic, left around $50,000.

Victor Schertzinger 'The Mikado' in color at Pi

Emile Boreo in Paris, awaiting straightening of labor difficulties in London.

John Gielgud's biography, 'Early Stages,' being published in the fall by Macmillan.

Max Schach in Paris, where he's trying to t a bankroll to start film production again.

Len Young to be operated on for eye trouble as result of auto crash several years ago.

Joe Linz submitting two new waltz tunes for 'Save Me the Waltz,' which Ed Ryan may stage in London.

Marcel Hellman, former co-managing director of Criterion Films with Douglas Fairbanks, Jr., ing new company.

Russell Medcraft to do a play at the Embassy theatre, a suburban tryout spot. A West End production is planned for later.

Sir Thomas Beecham convalescing following foot operation. He's due to conduct the opening of the Covent Garden opera season May 6.

Charles Cochran likely to give up his option on 'Father Malachy's Miracle,' which may be done here by O'Bryen, Linnett & Dunfee.

Charles Cochran's musical extravaganza, 'Happy Returns,' with Beatrice Lillie and Flanagan and Allen, opens at the Adelphi May 12.

Jack Harris out of the New Yorker, London's newest cafe, after three weeks, allegedly due to disagreement with management on operating policy.

Stanley Holloway and George Lacy added to the summer revue at the Opera House, Blackpool, which already includes Ross and Stone and Elizabeth Welch.

Rose Perfect teaming with Percy Manchester, well-known British broadcasting and recording name. Already offered Africa, Australia and New Zealand tours.

Trianon restaurant opens under new management, with big names of international repute being negotiated for the opening, first week in May. Lew Stone's band engaged.

Cecil Gillot, of HMV artists and recording department, joi ing the British Broadcasting Corp. Television section under William Streeton, who was formerly his chief at BBC.

Steve Geray and Magda Kun to do a new revue, titled 'Sixpence a Word,' in conjunction with Payne-Jennings & Killick May 20, to be produced either at the Garrick or Comedy theatres.

London Palladium vaudeville season starts much earlier than expected, May 2. Acts already lined up are Ray Noble's band and the Diamond Bros. Season will be longest in years, lasting till early August.

New cabaret for Grosvenor House, which Music Corp. of America is staging, will have new troupe of Georgie Hale gals, Ross Wyse, Jr., 3 Music Hall Boys, Earle and Josephine Leach. Show opens May 5, and will be only floor show in West End having a line of girls.

Eric Pommer sails for America May 15 with prints of 'Vessel of Wrath,' which just finished four weeks at the Regal, and 'St. Martin's Lane,' in the cutting process. Both star Charles Laughton, and were made by Mayflower Film Productions, of which Pommer and Laughton are joint managing directors.

## Sydney

Sir Ben Fuller readying for opera season in July.

Sid Greisman, Associ ing Pictures, in hospital.

Hoyts readying for a quick start in Tasmania following theatre deal with Greater Union.

Madge Elliott stated on arrival here that hubby, Cyril Richards, and she may do a show for Williamson-Tait next year.

Comedy, Williamson - Tait elbourne picture house, quit revivals to spot first releasers. Opening is 'Toast of New York' (RKO).

After reclining in the vaults for some considerable time on censor nix, Warner's 'They Won't Forget' finally won freedom for a Sydney showing.

Eric Solomon, . Film Weekly, re-elected to parliament of New South Wales under Premiere Stevens. He's the only local picture man in the house.

ladys Moncrieff, local m.c., was seriously injured in an auto crash while on way to fulfill engagement for Australian Broadcasting Commission. Suffered broken legs and will be in hospital six months.

erious thought being given by Cinesound to produce another bush comedy typed along 'On Our Selection,' which proved such a ash revival. Bert Bailey, of the original 'O.O.S.,' may be financially ested.

esides il's ivoli chai warbler, has been appearing at the Lyceum, Sydney, and also over the Australian Broadcasting network. In his spare time, Irisher has made some waxers.

Metro's lease of Liberty, Sydney, will expire July 2. Still unknown whether will be renewed, or whether the extra product will go to Greater Union theatres. Known, however, that Arthur Loew will make a decision during his brief stay.

Dick Harward is prepping new picture for New Era Productions titled 'Show Business.' Set to be done in Melbourne. Noel Monkton has finished 'Typhoon Treasure' and may start another one soon. Charles Chauvel is going ahead rapidly with a war picture for Expeditionary. National has nothing in sight as yet, and Argossy is still silent on production plans.

## *Silverstone U. A.*

executive authority will rest in New York.

Realignment of the company board limiting membership to stockholders only, with one additional exception —Dr. A. H. Giannini who continues as a director, by virtue of his position as president and chairman—may also be considered. In the event that Dr. Giannini, who has three years to go on his contract, should retire from the company, he would most likely be replaced by Silverstone.

Another meeting of the board is scheduled for today ( ednesday) to tackle whatever unfinished business there is to consider.

Silverstone stays in America. In his new capacity he succeeds George J. Schaefer, vice-president and general man er of distribution in the U. S. Schaefer continues on the executive committee. Other members are Arthur W. Kelly, v.p. in charge of forei distribution; Harry D. Buckley, v.p. in charge of exchange operations, and Harry J. Muller, treasurer.

The UA bunch arrived Monday (25) from London, including Silverstone, Goldwyn, Edward C. Raftery, of O'Brien, Driscoll & Raftery, Mary Pickford and David Rose, Goldwyn's financial rep. Korda had arrived in New York last Thursday (21), having flown from London to Gibral r to catch a New York-bound steamer.

**Pickford-Chaplin Active**

There is a possibility that iss Pickford may again become actively engaged in production, perhaps in association ith Korda. There is talk of the two joining forces to pr - duce 'The Bat.' Chaplin, too, ill become active again, making his first talker as detailed elsewhere i is issue.

istribution charges to producers are to be reduced in England and Canada from 30% to 25%. It stays at 25% in the U. S.

This cut in distribution charges and the right to share in profits, it is calculated, will strengthen the producer setup of United Artists and attract high calibre talent from around the world to its roster.

It may have t immediate effect of reopening negotiations with Selznick-International to continue that outfit indefinitely with U. A. David O. Selznick still has two to fill for UA

There has been no indication what other producers may be under consideration.

For the British film trade, the new accord furnishes a direct avenue to the American market.

When Samuel Goldwyn got off the boat, in New York, he said: 'The British are coming.'

And that's about the size of it. The British, through Korda, are now with an influential sayso in a major American firm.

In London, Oscar Deutsch, head of the Odeon Circuit, in which UA has a substantial interest, was given a vote of confidence by the UA partners. That should dis l all rumors about that situation.

It's not official, but inti ations are that George Archi ld and Teddy Carr, i London, move up to handle UA business in England.

The indications are that for the coming season Goldwyn will make at least six films and Korda eight. Understood that between them they will expend around $16,000,000 on roduction.

Miss Pickford leaves for the Coast ay 15, and Goldwyn entrains for Hollywood some this week. David Rose planed out yesterday (Tuesday). Korda possibly may sail for London in about a week.

Re ur ing to London with Korda may be Morris Helprin, is personal representative in the U. ,

Silverstone, before sailing for New York from London, closed a deal with the Artisti Associati, of Italy, to produce three Italian and two French films for UA releas

## Hollywood

Earl of dios.

George Yohalem back York.

Ralph Goldstei shorts.

Richard appendicitis.

Archie Twitchell pilot's license.

The Pat Wests observed their 19th wedding anniversary.

Robert Benchley here to s month's stint at Metro.

Barbara O'Neill off for Conn., her former home.

The Ned Holmeses celebrated thei 28th wedding anniversary.

Pat O'Brien moved into his new summer home at Del Mar.

Peter Bull heading for London l it, 'Goodness, How Sad.'

John Barrymore bought three expensive cars within the week.

Joe Penner en route to Manhattan for his first visit in three years.

Anna May ong having plans drawn for Beverly Hills manse.

Wallace Beery, wife and daughter home after six weeks in Europe.

Kurt Weill in from N.Y. for music writing assignment at Paramount.

Emma Sloan named executi manager of Ben Bard's Playhouse.

Wally Westmore, Paramount make-up chief, recuperating from oper tion.

Nelson Eddy back at Metro next week after three months' warbling tour.

Dave Bramson resigned as publicity head of Harry Sherman Productions.

Melville Cooper heads for New York af r finishing 'Garden of the Moon.'

Arthur Jarrett off for Texas p.a.'s before starti a film contract at Merto.

May Robson celebrated her 7 birthday on Paramount's 'The Texans' set.

Vance Car ex-Grand National casting direc , joined Artists Bureau, Inc.

Mary Ellan Anderson joined Selznick-International's gown-designi department.

Betty Asher, daughter of the late Eph Asher, enrolled in Universal's dramatic school.

Terry DeLapp, Paramount studi publicity chief, back after three weeks in the east.

Claudette Colbert, vacationi Paris, due back May 15 to start Paramount picture.

Olympe Bradna, Paramount ingenue, graduated from studio high school with honors.

Frank Melford re-tagged for another year as E. B. Derr's production aide at Monogram.

Stuart Erwin to Broadway for two weeks of attending plays before his next 20th-Fox picture.

Edmund Grainger, Universal producer, severed wrist artery when shower bath faucet broke.

Joseph W. Rubinstein, Manhat talent manager, now making headquarters in Hollywood.

Arthur Lubin dude-ranching at Victorville while writing screen play for Universal's 'Wall of San Quentin.'

Katherine Brown, eastern representative of Selznick-International, here for confabs with David O. Selznick.

Rollo Timponi, manager of the Erlanger, Chicago, vacationing here with his sister and niece, Bonita Granville.

Charles Coburn entrains for Schenectady in two weeks to launch Mohawk Drama festival, which he's directing for the seventh year.

George Sessions Perry, Sateveport fictioneer, in from Texas to join Viola, Brothers Shore on the scripting job for Paramount's 'Arkansas Traveler.'

Joel Thorne, film stunt pilot, trucked out for Indianapolis with a racing car of his own design, which he'll drive in the 500-mile Decoration ay event.

## Paris

Conrad Veidt in from London.

Bert Nagle at Cirque Medrano.

Vina Bovy in from New York.

Mary Pickford over from London.

Eileen O'Driscol back to New York.

Claudette Colbert back from the country.

The Mills boat for America.

'Dame Nature' bei at Theatre Daunou.

Serge Lifar rehearsi next opera production.

Fernandel learning Italian for next picture, 'Ernest le Rebelle.'

Wanda Landowsa in from North African and Egyptian tour.

Les Quatre Saisons reco performances at Mathurins.

Jeanne Renouardt lo joining hubby Fernand Gravet.

Clifford Fischer setting pla opening of Restaurant des sadeurs.

Henry Sokal announcing he's ing to make film in France; under Wissa Dina to star.

Bernard Zimmer finishing scenario based on life of Charlotte Corday. Raymond ernard to produce, wige Feuillere to star.

Jeff Musso announcing film on life of Goya, wants Pierre Fresnay to take lead. eanwhile, latter's doin short military service at a le uc.

# OBITUARIES

### JACOB C. ROSENTHAL

Jacob C. Rosenthal, 57, pioneer exhibitor and owner-operator of the Rivoli, Fifth Avenue and New Rose theatres, Troy, died at Leonard hospital, Troy, N. Y., April 20, after a long illness. Stricken in the spring of 1937, he returned to business for several months, but last January was forced to retire again.

Rosenthal started his theatrical career at 14. He obtained the concession to sell song books between the acts in the old Gaiety and Lyceum theatres, Troy. His first picture spot, and one of the earliest in Troy, was the Majestic. He opened this house in 1911.

He was a leader in organizing the Independent Motion Picture Exhibitors of New York State and served several terms on the board of directors.

Survivors include his widow, four sons, a daughter, two grandchildren, four sisters, a brother and his father.

### A. W. SANDBERG

A. W. Sandberg, 50, Denmark's best known film director, died recently in Germany after many weeks' illness.

Sandberg was well known in Germany and Paris, where he directed films for Tobis and Terra (German), but was best known and did his best work in his native country. His biggest success was 'The Clown' shown all over the world, as were his Dickens pictures i silent days. 'Clown' will be shown again in Denmark, although it is 12 years old. As a talker director he was not popular, costing producers extra monies because of retakes.

Married to Ruth Jacobsen, singer, Sandberg was also a film critic on the Ekstrabladet during his later days.

### PEDRO RUBIN

Pedro Rubin, who gained attention in the United States and France with his Mexican dancing and as director of a ican ballet, died at his home in exico City April 17. Burial was local.

He is said to have been the first male Mexican dancer to crash Broadway. He worked for Florenz Ziegfeld for some years, his best work under this contract being in 'Rio Rita.' Rubin fulfilled a contract for the Folies Bergere, Paris. He was a star of the Mexican stage and screen.

Survived by his mother, a brother and two sisters, one of whom lives in New York City.

### OLGA TRESKOFF

Olga Treskoff, 36, died i New York April 23 after a year's illness.

She was associated with Russell Janney in the production of 'The Vagabond King' in this country, playing the ingenue as well as staging. Later she did the musical in London, where it enjoyed a run of two years. ith Janney she rented the Gaiety and Winter Garden in London and for four years made productions at both houses. She was for a time a player in the silent pictures.

Her mother, four brothers and three sisters survive her.

### WILLIAM B. HENE

William B. Hene, 61, for 35 years manager of the Tabor Grand theatre, in Denver, when it was the ace theatre there, died at his home in Denver after a week's illness.

He entered the theatre business at the age of 12 as program boy at the Tabor, and after a few years was made business manager. He also managed the Broadway, Denver, until 1929, when he retired.

Survived by his widow, a brother and a sister.

### GRACE LIVINGSTON FURNISS

Grace Livingston Furniss, 74, author and playwright, died in N. Y. April 20. She was in a convalescent home recuperating fro injuries sustained in a fall.

Included in her plays are 'A Colonial Girl,' 'The Pride of Jennico,' 'Mrs. Jack,' 'Gretna Green,' 'A Dakota Widow,' 'The Man on the Box' and many others. She also wrote a number of novels, two of them of recent publication.

Surviving are a ni

### EDNA LINDON ELLSWORTH

Edna Earle Lindon Ellsworth died March 23, in Los Angeles. Interment in Forest Lawn Memorial Park.

At on indon was a stock leading woman, and star of road companies playing 'Fast Mail,' 'Thorns and Orange Blossoms,' etc. She married Gene Ellsworth in 1910, touring in vaudeville under team name of Ellsworth and Lindon. Her widower survives.

### FIFI CLIMAS

ifi Climas (Elizabeth Ocaray), 32, died at the Will Rogers hospital in Saranac Lake April 19.

A successful dancer, she was imported here from Nak, Hungary, by N.T.G. She saw service with N.T.G. till her breakdown five years and nine months ago.

Interment arrangements are pending awaiting word from her parents, who live in Nak. It is probable that she will be buried in Saranae.

### ILLIAM A. WARREN

lexander arren, 55, Lansing, Mich., radio entertainer with the Royal American Shows, died suddenly April 22 in Jacksonville, Fla..

Known as 'Doc Sunshine' over the nation's network, he has been broadcasting 15 years, the greater part of which was spent on the Coast.

Survived by his widow, a son, sister and brother.

### EDWARD SMITH

Edward Smith, 42, treasurer of the Warner Bros. Strand theatre, N. Y., killed himself by gas poisoning April 21, the first anniversary of his wife's death. He left a note for his mother asking to be buried in his ife's grave. Melancholia due to her death ascribed for his suici

He had been with the Strand for the past 15 years. Before then he had been a bank teller.

### FRANCISCO REYNOSO

Francisco Reynoso, Mexican aerialist, was instantly killed in a 60-foot fall while attempting a double somersault from a trapeze during a circus show at Texcoco near Mexico City.

He had performed with minor circuses in the U.S.A.

### GRACE LLEWLLYN CRONIN

Grace Llewllyn Cronin, 66, di in New York April 14.

She was formerly of San Francisco and had sung there at Taits, the Portola and other class resorts. Coming to New York she appeared in a number of Lew Cantor's productions. Her last appearance was in the novelty act, 'The Gilded Cage.'

### JENNY ST. GEORGE

Jenny St. George, nee Jenny Hyland, died at Freehold N. J., April 15.

She had been in vaudeville for many years as Jenny St. George, harpist, with act of Callahan and Mack. She was also at one time the wife of George Webster, Chicago vaudeville agent.

### MORT HARRIS

ort Harris, 44, former radio production head for station WHN, N. Y., and recently assigned to Metro's Hollywood office on radio scripts, was killed in an automobile mishap near Los Angeles, April 24. News story in vaudeville section.

### BERT SHAW

Bert Shaw, 60, for many years operator of an amusement resort at Glenna, ich., died April 16 while visiting relatives at Barberton, O. idow survives.

**Miriam Rydell**, 80, mother of Sam Rydell, manager of Royal theatre, Bronx, and Louis Rydell, former adverti ing manager of VARIETY, died suddenly April 22 of a heart attack at her home in Pelham, N. Y. rs. Rydell is survived by four other sons and a daughter, Ruby.

**Father**, 78, of Dave Rubinoff died in Montefiore hospital, Pittsburgh, April 20 when pneumonia set in following an operati

## DAVIS P.A'ING EAST

Hollywood, April 29.

ufe Davis hauled cast on a combined vacation and p.a. tour.

He will open at Baltimore's Hippodrome, then head to New York for a radio commitment. Balance of his schedule is still tentative.

## British Pix

(Continued from page 11)

In Great ritain who nev or rarely attend films. Rating well above 40% of the total population, these, at only one visit each yearly, would swell the box-office take by not less than $4,000,000. This calculation, it may be noted, makes no reckoning of the rising total gradually being lost to the theatre by counter offerings.

From the evidence, Rowson deduces the necessity for a concerted attack by the industry to render some of these apathetic millions film-conscious. His claim, timely if not new, touches a popular chord with the exhibs, who were already dickering with such an idea several years back.

Obstinacy by the distribs, who appear to think that all is well so long as they can secure their own share of the income, prevented any campaign maturi in the past, and exhibs are fretting it may still prove a stumbling block to reconciliation with the lost patronage.

For this reason the Cinematograph Exhibitors' Assn. bitterly assails the distribs' policy of moving for higher rentals by grading tactics, as announced by the latter's organization, Kinematograph Renters' Society. Declared policy of K. R. S. to take concerted action in regard to film hire, says an association report, is the most important issue that has ever confronted exhibitors. Accordingly, the latter are urged to unite in withstanding demands from distribs for higher percentages for 'A' product.

### Conciliatory Note

Nevertheless, that this is not actually war to the knife is indicated in a conciliatory note of the report, declaring the willingness of C. E. A. to reopen the discussion of basic trade problems ith K. R. S., provided the right of the latter to monkey with rentals is not advanced as a fundamental clai . Motive underlying the report was made further apparent in a C. E. A. general council debate following its submission. S. K. Lewis l off by declaring that the two groups must not approach the issue as one of enmity between one society and another, but from the viewpoint of domestic economics.

Arthur Jarratt, booking chief of Gaumont-British, followed ith a clearer expression of the same view, declaring there was another important aspect of the issue, aside from rentals. 'Not only are we interested in getting films at reasonable prices,' he said, 'but, still more important, we should get the public to come into our cinemas. It is no use our getting a picture even at 10%, if people do not come in.'

C. E. A. ended its discussion in a belligerent mood. But wiser heads among them realize that to go into battle with the distribs at this juncture is more likely to prove fatal to the entire industry than if exhibs gave way to K. R. S. pressure. C. E. A. chiefs are, in fact, desperately anxious to go into further confabs with the distribs, even though they fear shortsighted concentration by the latter on immediate incomings may prevent any compromise.

At that, they do not fully blame the K. R. S. members. They assume that the local chiefs of American companies are concerned only with satisfying home office demands for keeping up returns to an anticipated minimum, without pleading internal trouble as an unanswerable excuse should the figures dr

### Exhib Campaign

eantime, in the face of the unhelpful tactics of K. R. S., exhibs are hinting at a self-sponsored policy of going after audiences with a national campaign, for which the bigger fellows might be induced to provide a fighting fund. Obvious snag of this is that, should such campaign have the desired effect, istribs would reap the main benefit without having lifted a hand to bring it about. Realization of this is holding many exhibs back. They explain that they cannot be expected to make sacrifices to the advantage of another unsympathetic section of the trade.

Situation, however, is not perhaps entirely hopeless. Going back to the recent annual report of K. R. S., reference can be traced to a dim visualization of the vital urgency of some general action. 'If any progress in the desired direction is to be achieved, it can be done only by giving up in some measure, however small, of absolute self-interest in return for the good of the industry as a whole.'

# News From the Dailies

*This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news it ; each has been rewritten from a daily paper.*

## East

Man ountain Dean announces his candidacy for the Georgia legislature. He's a native of that state.

'Popeye's Parrot,' cartoon, barred in the Reich. No explanation.

Bill Brown, boxing commissioner, the fall guy at last week's meeting of Dexter Fellows tent, Circus Saints and Sinners.

Members of the 1:0th Cavalry did a repeat of the Paul Revere ride last week. Forced to carry a blacksmith along in an auto to replace cast horseshoes. Modern concrete tough an equine footgear.

Gertrude Ederle, once channel swimmer, who sued a Hempstead apartment house owner for $75,000 for asserted injuries caused by a fall, settled the case out of court last week. Claimed she had been forced to abandon her career as swimming i tructor.

Edward Smith, 42, treasurer of the Strand theatre on Broadway and associated with the house the past 15 years, killed himself with gas April 21 on the first anniversary of his wife's death.

N. Y. sculptor has made a cast of Jimmy Durante's schnozzle and all.

Ford C. Frick, prexy of the Nat. Baseball League, taxed $2 for a parking violation in N. Y. last week.

Onslow Stevens, Betty Philson, Mary Mason, Robert Harris to get marquee mention in 'Schoolhouse on the Lot.'

Edgar Nixon Smith, of Bayside, to receive estate of his father, the late Edgar McDonald Smith, actor and playwright.

Jascha Heifitz does a peeve when told he can't have a swimming pool on his property at Redding, Conn. Utility Co. hopes to build a power dam. So he'll give a concert in the high school aude for the benefit of the association fighting the power pople.

Federal Theatre's 'One Third of a Nation' hits a new record. Has played to more than 111,000 people.

Yvonne Georgi to bring over her European ballet for a limited tour under J. J. Vincent. There are 20 in the troupe.

The late Mrs. Josephine Wright Wuppermann, mother of Frank and Ralph Morgan left a gross estate of $737,424 and a net of $573,372. Her five children receive $11,532 each and share the income from the residuary estate. Wuppermann Co. handles Angostura bitters in this country.

Philip Dunning agitating for a producers' award for best play. Not until next season. No producer will be allowed to vote for his own play.

Ed Wynn to give a special matinee May 3 for the Actors' Fund.

Washington Board of Tax Appeals rules that Hope Read Williams, actress, is entitled to deduct from her income tax her losses as a dude rancher. She ran a place near Cody, Wyo.

Jack Dempsey judged the pets entered in the annual contest of the N. Y. Boy's club. Had to hand out autographs to all contestants.

Salzburg to drop all productions staged by Max Reinhardt. Also realigns roster of singers to exclude non-Ayrans.

Met Op. will open Nov. 21 for a season of 16 weeks.

WPA circus, playing Newark the last half of last week had to use phonograph records. Local musical union insisted that 10 union men be added to the 55-piece band. Calliope also failed to work and Ivan the Great (Meyer Davis) was pinched for alleged wife-desertion, but not until after he had done his act.

Eeven Bronx newsdealers haled into court for selling copies of For Men Only alleged to contain three incedent words. Defense showed that Shakespeare used one of the words 137 times and the bible twice. Court ruled the words to be in common usage and dismissed the case against the newsmen and Fawcett Publications.

Shirley Lloyd, radio singer, off for 12 weeks at the Copacabana, Rio. Recently confounded with picture player of same name who is suffering from sleeping sickness.

Radio City Music Hall to make four stage productions during the next year to boom the World's Fair. First goes on tomorrow (Thursday).

Lou Gehrig, baseball star, did a personal at the Globe, N. Y., Sunday to shove over his first picture, 'Rawhide.'

Betty Randolph lost her appeal against the decision of the Supreme Court in her suit against Louis Bamberger for $1,000,000. Appellate division upholds the verdict.

'Golden Boy' pre-celebrated the 200th performance on Monday with a party after the show Saturday night.

state of the late Joseph ickerton, theatrical lawyer, appraised at $88,560 gross and $48,193 net. All goes to his widow.

Toy Fair opened in N.Y. Monday. Feature is almost complete absence of military gadgets.

Summer school of the N.Y. Philharmonic-Symphony society will open about June 1. For the instruction of juvenile instrumentalists. Of last year's graduates 34 obtained positions with established orchs.

Salmaggi family threw a party at their Bensonhurst home last Sunday in advance celebration of Guido Salmaggi's debut in opera at the Hippodrome next Sunday. According to report (and reporters) it was a large party.

Tavern on the Green, Central Park, to open for the summer next Saturday. Savarin management.

Lenore Ulric's former secretary-housekeeper Rose Braden, obtained a judgment for $2,160.60 against her former employer Saturday. It's a consent decree, but the actress says she doesn't know anything about it.

Cape Playhouse, Dennis, Mass., to open June 27 with 'Honey.' Tryout for Max Gordon, who plans to present it this fall.

Award of 27 prizes made by Salmaggi opera to high school pupils last week.

## Coast

Everett N. Crosby, agent and brother of Bing Crosby, was granted a divorce in L. A.

Mrs. Maybelle Hooper Reed, mother of Martha Raye, revealed her secret marriage to Peter Bauman, business manager for actress, in Phoenix, Ariz., last March 17.

Harry Sherman, film producer, was ordered to pay his wife $4 weekly alimony pending trial their divorce suit in L.A.

Trying out a circus act, Eva Hudnall, 26, was killed when a 96-foot aerial platform collapsed in a lot next to her home in North Hollywood.

Gertrude Bentler, stage actress, suing Harold Bentler for divorce in L.A., was charged with cruelty in a cross complaint.

Prowlers raided Carole Lombard's Bel-Air home of jewelry and clothing valued at $25,000.

Walt Disney took the stand in a Bakersfield court as a character witness for Harry Bell, one of his sound recorders, charged with negligent homicide as a result of a fatal motor accident.

Simone Simon asked the L. A. district attorney's office to investigate a shortage in her bank account, somewhere between $15,000 and $50,000. Funds disappeared while she vacationed in Europe.

Helen King, model and former fil player, injured in a street car accident, filed a $25,000 damage sui against the Los Angeles Railway Corp.

Stan Laurel and his wife, Vera Ivanova Shuvalova, went through their third marriage ceremony last Monday (25) in Beverly Hills. This time it was a Russian orthodox wedding.

Judith Allen Doyle, fil filed application for a final decree from Jack Doyle, Iris pugilist, in L. A.

Beth Milton, stage actress, booked on a traffic charge after car crashed in Beverly Hills.

Mrs. Gladys Camp divorced Walter Camp, Jr., former film executive, in Los Angeles.

Carmel eyers Blum, ex-film actress, and her husband, Ralph Blum, were order to pay $3,203 following trial of an auto crash suit in L. A.

Elizabeth D. Barnes, known in films as Betty Wood, dancer, dropped her separate maintenance action and filed a divorce suit in L. A. against George Barnes, cameraman and former husband of Joan Blondell.

## MARRIAGES

Katheryn Van Gilder to Glen Parker in Marshalltown, Iowa, April 16. He's announcer for WHO, Des Moines.

red Du Bois to Cordell Fray, at Caliente, April 17. Bride is film actress; he is a film editor at Universal.

Edith Barrett to Vincent Price in New York, April 23. Both are legit actors.

Keith Allen to Carlyle Stevens i Los Angeles, April 21. He's a radi announcer.

Aimee Christine Sivertsen to Malcolm McGregor in Las Vegas, Nev., April 22. He's a film actor.

Von Greene to Mike Peyton in Miami, April 3. Bride's a night club dancer; he's a Pittsburgh cafe singer.

## BIRTHS

Mr. rs. Russell daughter, in Hollywood. Father is studio cameraman.

Mr. and Mrs. Nat Goldstone, daughter, in Hollywood, April 21. Fath r is a talent agent.

Mr. and Mrs. Eddie Elkort, son, in Chicago, April 24. Father is with Music Corp. of America in Chi.

# Circus Reviews

## Hagenbeck-Wallace

Louisville, April 24.

Hagenbeck-Wallace Circus, after five days out, played a two-day stand here April 22-23, to nice biz, and with the advantage of cool, clear weather. Show started season with a dress rehearsal engagement in Peru, Ind., and performance has been well-routined and whipped into shape, so that it runs a total of 110 minutes.

Top billing in posters and ads has been given to Blacaman, said to be a Hindu animal hypnotist, who claims to put domestic animals, lions, and crocodiles in a hypnotic state, clad only in a loin cloth, and using neither whip, chair, or gun to subdue the animals. This feature was presented in the aftershow at performance caught, although Blacaman made two appearances during the main show as a bally for the afterpiece. At his first showing he gave a demonstration of his ability to mesmerize a domestic fowl and a rabbit, after a spectacular entrance seated on an elephant, and accompanied by a corps of ballet girls. In the after show, Blacaman displays his skill at taming a vicious crocodile, after removing a muzzle from its jaws and looking at it intently, after which the animal was motionless until released from the spell by the fakir. Later, he subdues lions, and reduces them to a state of inertia, during which time he pummels them, carresses them, and even allows them to lie upon him, all apparently under his magic spell. The act is a real thriller, and introduces an element of mystery not found in animal acts of a similar nature.

Spec opened with a girl number in all three rings, six in each, presenting adagio and routine dance numbers, all well lighted. Mrs. Poodles Hanneford (sans Poodles) and Doris Naughton then on for an entertai ing pony drill, interspersed with an acro act by a team of girls, followed by the clown contingent for a parade around the track, under the leadership of Chester Barnett. This number was followed by an aerial act, unbilled, as show did not distribute printed programs, and Mel Smith, announcer, did not introduce many of the acts by name. Nice routine stuff, a quartet of girls doing ladder work above each end ring, and two girls doing the iron jaw stuff in the center circle. As rigging was being struck, a large elephant in Mae West get-up paraded around the hippodrome track.

A wild west offering, featuring trick riding by two femmes and two males, headed by Ted Merchant, performed on one side of the tent only, as reserves on the other side were empty, and racked a few minutes after the show was under way. Following a comedy number by the clown troupe came, in ring one, Esta Escalante, and the La Foams, mother and daughter combo, in rings two and three. Miss Escalante was a standout with her routine of acro work, and worked the number into a bang-up finale.

Display next brought on Mickey King, who made a graceful ascent to the top of the tent, for a series of arm rolls, 52 in all. Registered oke. Followed the Blacaman bally, after which a new Hanneford riding act, directed by Mrs. Hanneford, utilized 10 girls and two men. After the routine stunts, a new European act, lle. Lucy, performed on the platform on the back of a magnificent horse, which trotted around the ring. She capered through a series of stunts and flips atop the animal, with a flashing finale a double somersault. Gal is plenty muscular and went over big with the audience. As an interlude, Cheerful Gardner, trainer, came on with his group of elephants, and filled the track with many tons of elephant flesh.

Next on were the perch acts. In the center ring Page and Conchita, with gal working atop the pole and getting plenty of attention and applause. In ring two, Nada and Perez, and in ring three the Les Rebras troupe, both teams plenty clever, and finishing with a swing routine which kept all eyes traveling from one ring to the other.

Tight wire performances were then on in each ring, center spot being taken by Philip Escalante, who proved to be the center of attraction. Escalante does a fast routine, with some clever balancing, and winding up with a drunk routine which gained plenty of applause. Floyd Crouch Trio and the Acevedos Trio attracted attention in ring one and three respectively. All turns shape up well.

Following another clown number, led by producing clown Chester Barnett, the herd of 22 bulls come on for a swing routine, with a bit of truckin' and 'Suzy-Q,' under guidance of Cheerful Gardner. This feature was followed by a routine of dancing, trick walking, and formations by groups of liberty horses, 12 in each ring, and displaying excellent training. Act was unnamed as far as the audience was concerned. However, plenty oka , and interesting to all ages.

lim Wong Troupe proceeded to do all manner of risley stunts, and contortionistic routines, an drew a hefty round of applause by tying themselves into knots, and bouncing around the tan bark. A really flash act, and plenty clever. Audience indulged in plenty of palm pounding for this one.

Show closed ith trapeze acts working in two end rings, and running through the usual routine catches and flips done by acts of this kind. Feature stunt misfired, when lad made blindfolded leap and missed partner's hands, taking a bounce to the net. Did not attempt to finish the stunt, however, as ringmaster had apparently signaled for acrobats to descend.

Show wound up at 10 p. m., after an 8:10 start. First ten minutes, after a 30-minute concert by an 18-piece band, under the direction of Henry Kyes, was taken up by the sale of prize candy, with butchers distributing the boxes among the audience. Long five-minute spiel over the p. a. system preceded the distribution. Also during the show an automobile was driven around the track, and a plug for the distributor was voiced over the p. a. system.

Sideshow is managed by el Smith, who also doubles as announcer for the main show. Personnel of the show, especially the femme performers, are attractive looking, young, and costumes have a freshness and liveliness that adds a great deal to the enjoyment of the circus. Frank Sanders is superintendent, assisted by Floyd Lee and 12 helpers. Howard Y. Bary, executive head, is to be congratulated on his line-up of acts, physical equipment, and business staff, as well as the band, which toots nobly throughout the entire performance, and the trick looks ship-shape to do nice business all along the line, given the breaks.

*Hol*

## DOWNIE BROS.

., April 24.

In a bright array of new costumes and a new big top, Downie Brothers Circus opened its 1938 season here April 18 with two performances.

One of the smoothest features of the new season's entertainment was the playing of the band under the direction of B. T. Carsey.

Tony Svaler followed by clowns somersaulted over one, two and three horses and then over three elephants. Miss Georgiana with a parasol and green ballet costume slid from a tall pole down a rope. She was followed by Mickey Larkin in a head slide on a wire. Two tries were necessary to complete the act. Got a good hand. Riding acts in end rings and clowns were followed by ladder at end rings with quite juvenile lassies performing.

Ruby Hoyt and Janet Wallace put the elephants through their paces in the end rings next. Four in one ring and three in other. On way out these combined into one troupe for salute in walk around.

Juggling in center ring with comedy acrobats in end rings was the first time three rings going at once. This was followed by another three-ring feature, liberty horses in ends and ponies in center. These were a bit uneven as animals showed nervousness with routine.

One of the best acts of the first half was that of the Cressonians, headed by Harry Cress with three daughters and three sons. Their triple somersault from a teeter board into a chair on the shoulders of a three-high gets a big hand.

Royal wire artists, Belgian experts, perform in veteran fashion. As a takeoff an elephant follows in a board-walking stunt. Captain Pickard and his trained seals in center ring do the usual stunts, with several special 'musical' features.

The riding Hodgini family in bareback stunt riding occupy all attention in center ring. Skill and daring combine to make this another top liner. Clowns at intervals keep the laughter going.

An equestrienne ballet with dancing horses makes an effective scene as all cavort about the ring with little space between them. High jumping horses, iron jaws and perch act are followed by an Indian riding stunt for the conclusion.

The after act includes In ians, cowboy and cowgirl riding at a merry pace.

After the night show the caravan rode out in motor vans for another season which is to take them to the West and to Canada.

## CIRCUS ROUTES

**Week of May 2**

**Barnes-Sells-Floto**

Vallejo, Cal., [illegible] Reno, Nev., [illegible] Sacramento, Cal., [illegible] Oakland, [illegible]

**Ringling ros.-**

Boston.

[illegible]

Cincinnati.
Clarksburg.
Baltimore.

## Fire-Eater Toasted

St. Louis, April 26.

Teddy Roosevelt Cobb, 19-year-old Negro, got a job as a fire eater with a carny working South St. Louis lots last week but forgot the proper formula for his act and, as a consequence, suffered serious burns on his mouth, face, neck and left arm. Instead of using a sponge and alcohol for the fire eating feat Cobb saturated a piece of rag with gasoli , placed it in his mouth, exhaled and lighted the fumes.

Flames shot back to the rag and before he could pull it from his mouth he was severely burned. He was treated at the Homer G. Phillips Hospi l and then returned to his home to brush up on fire eating technique.

# B'KLYN HOTELS NOT TO TILT FOR FAIR

Brooklyn hotels will not join other New York inns in the gradual price-raising preparatory to opening of World's Fair in 1939. Other hostelries have already started their ante-upping drive despite agreement with Fair not to do so.

Since Brooklyn relies almost solely on permanent and semi-permanent hotel residents, managements can see no rcentage in kicking their 'regulars' around. Unlike Manhattan, the transient biz is light there. Since only a portion of the Fair patronage will go to Brooklyn during stay, obviously preferring the more central location, there's no percentage, they figure.

## Cetlin-Wilson Rolls

Charlotte, N. C., April 26.

Af quartering at the fair reensboro, Cetlin and Wilson carney this week rolled out its long caravan, going to Burlington where it is playi rst stand of the season under auspices of the V.F.W. months of tourin - low.

The annual tour of the show will carry it approximately 23,000 miles before returning to Greensboro next fall. This will extend as far north as Canada and as far west as Ohio this season. Several leading fair dates are booked. These include the New Jersey State fair at Trenton, New Jersey; Reading, Pa., fair; the Greensboro, N. C., fair; the Rocky Mount, N. C., fair; the Salisbury, N. C., fair; the Delaware State fair at Harrington, and several others.

From Burlington the show makes a jump to Philadelphia. Opening this week the tour will carry the shows into the second week of November. The shows include a personnel of nearly 600 people, a large herd of livestock, and many other materials and carnival accessories.

All told, the Cetlin and Wilson outfit this year will include 15 rides and 20 shows. Approximately $15,000 has been spent on new riding devices this year.

# Small Circuses This Year Have Slim Chance for Biz, Says Haag

Circuses going out this season with a short bankroll are likely to fold up early, as it looks like a lean year for outdoor show patronage, Roy Haag, co-owner and general manager of the Haag Bros. circus, a motorized outfit, informed a VARIETY correspondent here.

Haag bases his prediction on servations during five w s' tour of his small circus, which has already traversed parts of several southern states and is currently in and due soon to invade wester sylvania steel centers.

'After several weeks on tour, visiting towns in many states, including many where we did good busines last year, I am convinced that the people just don't have money for a usements,' said Haag. 'There are plenty of curiosity seekers on the lots at every stop, but only a small percentage of them have the price of admission. It may be that many of them have money, ut they are holding on to it.

'Throu the South, especially West Virginia, and Tennessee, unemployment never has been as idespread and industrial plant operations are at their lowest in years. Mines are idle in West Virgini , usually good territory for the shows in the early spring, but there's no money down there this season. Ohi doesn't seem to be much better, business is spotty and even on days when the weather is ideal, crowds aren't up to expectations and the show is lucky to get the 'nut.'

'In my opinion even the rail shows are going to find things tough this season and unless they keep overhead to a minimum some of these may go to the barn prematurely. The smartest of the agents are in quandary where to route their shows this season to make money. Carnivals are in for a lean year, and I look for plenty of them to give up before mid-season,' he said.

Fairmont, W. ., April 26.

Barnett ros. Circus, generally voted a very good show of its size, did a poor business in West Virglni despite fine weather for Parkersburg, Clarksburg, Grafton and Morgantown dates. At Fairmont the afternoon show did not start until 3:30 because arrangements were made for schools to dismi . A indstorm blew down the tent here just after the completion of the afternoon show and no attempt was made to give a performance at night.

Rogers left the show at Clarksburg to scout for good territory.

Chicago, April 26.

Business was off badly at both the International Amphitheatre and the Stadium, where the Tim McCoy Wild West show and the Cole Bros. circus opened their season.

McCoy left town Saturday (23) after a 10-day stay, headed for Columbus, O. Cole Bros. circus will stick until May 1, then off to Rochester, Ind., to pick up tent.

Cole show doing considerably less than last year, when it turned in an excellent coi stanza at the Stadium. Several alibis for the poor business currently, inclu ing the recession, lack of new attractions and inability to glamorize a circus indoors.

Both shows flooded the town with paper in order to get some sort of gathering so the acts wouldn't get lonesome.

## WHAT THEY THINK

**Looking for Manely Lee**

Boys Town, ., April 15.

*Editor*, VARIETY:

Some time ago we admitted to this home a boy whose parents used to be stage people. Their names were Mr. Manely Lee, a vaudeville actor; and his wife, Evelyn, a dancer. The Lees were married in 1923 or close to that ti , and a year or two later they separated. Since that time nothi is known about them. The boy and we are very anxious to locate the parents and we thought that you might able to help us. We regret that we do not know just what territory these people covered or the exact nature of their act. However, we sincerely ho that you will be able to locate some information about them.

*Rev.*

Welfare Su lanagan's Boys

*Editor*, VARIETY:

Quoting the April 6 issue on the Wrigley Show: 'Now announcer Dick Post gets some help from Pat Ryan who steps up and bats out a broadcasting blurb.' Patty Andrews and I are doing dialog commercials now and then these days, but I don't see how you can mean her.

It isn't terribly important, but seriously, just out of good ol' fashion curiosity, I would like to know who Pat Ryan is?

*ick Post,*
WBBM, Chicago.

(Reviewer *Bert*, of VARIETY's staff, guesses he wasn't paying attention at the typewriter when he wrote Patty Andrews and Pat Ryan somehow came out.)

## RINGLING SHOW CLOSE TO TOP TAKE AGAIN

Excellent business throughout Easter week at Madison Square Garden indicated that the Ringling Bros., Barnum and Bailey circus will wind up its indoor date Saturday night (30) with the gross approximating last season's. At that time it was claimed the big top had its best Garden date in six years, the top gross of the opening date having been registered in 1930.

Last season, because Easter came early, the Ringling show missed the Easter holidays. Last week's afternoons were capacity with night attendance approaching sell-outs. Indications are that the show will close strongly, as indicated by the advance sale.

Monday (25) afternoon a tigress which was led around the track in the spec broke away from her trainer backstage and loped down a corridor leading to some dressing rooms. According to the circus press agents, Paul Horumpo, a midget, grabbed a prop mallet and tapped the animal on the head to divert her course. Trainer grabbed the chain leash and led the cat to its cage but it was in no mood to parade and the stunt was out at the night show.

# Johnny Powers Quits McCoy Show; Pic Cowboy 'Too Much Hollywood'

Managerial mixup in the Tim McCoy circus came soon after the show opened in Chicago with Johnny Powers, general manager, stepping out. Reports around the outfit were that McCoy was 'too much Hollywood' for hi to jibe with seasoned showmen.

Around $400,000 was spent on the McCoy outfit and then it ran short of coin. Much of the money for the 30-car show was used in new rubber-tired wagons. Backing come from a Providence coterie who had been i terested in the Narragansett racetrack. Reported that a fast touch for $15,000 was necessary to get the show out of town.

Jam between McCoy and started when the picture tossed around the press.

ments for Sunday layouts in the papers had been arranged for but McCoy ejected photographers at the dress rehearsal and there were no pictures to fill the allotted space. c-Coy alibied by saying the lensemen 'made people nervous.'

McCoy brought scenery from Hollywood which was regarded as is-placed in a wild west exhibition. Dramatic interludes were also objected to as having no logical s ot-tin such a performance.

## Bledsoe Dates Sought

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## 2 Amateur Aerialists Die on Coast in Fall

Hollywood, April 26.

Two amateur femme aerialists wit circus ambitions were killed when a 96-foot rigging colla sed on a lot near their home in North Hollywood last Tuesday (19). They were Isabel Roberts, 21, and Eva Hudnal, 26.

Girls were practicing for a possi carney booking.

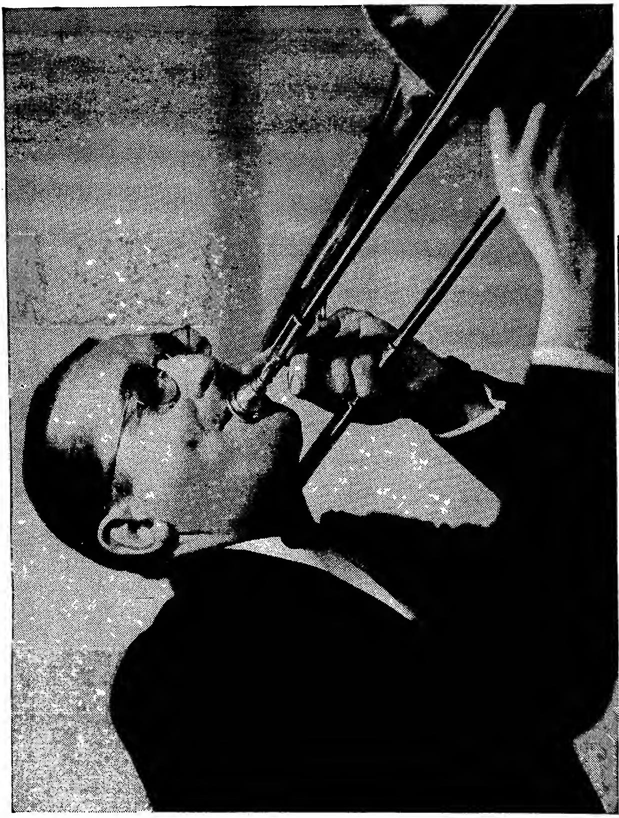
## McCOY'S SPONSOR

Chicago, April 26.

Tim McCoy's Wild West show will go into Columbus, O., following its 10-day stand here. Under auspi of the Columbus ournal town.

This is figured the only sored date on the schedule Wild West show. Mc oy's tr spend most of the spring an early summer the east, spending most of May along the Atlantic seacoast.

# TOMMY DORSEY SAYS "THANKS"



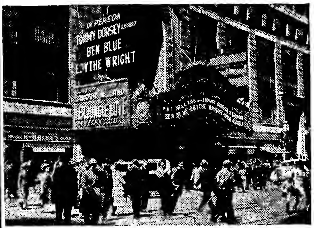
*That Sentimental Gentleman of Swing*

**TO THE THEATRES**...Tommy Dorsey, his trombone, and his orchestra have just completed a two-week record-breaking engagement at the Paramount in New York. Easter Monday all records for morning attendance at the Paramount were smashed!

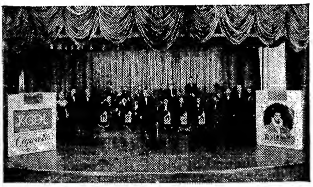
A recent road tour of one-week engagements took Tommy and the boys to the Earle Theatres in Philadelphia and Washington, The Stanley Theatre, Pittsburgh, and The Palace in Cleveland.

The band will be heard during coming weeks at Shea's Buffalo Theatre, The Fox Theatre, St. Louis, two weeks at The Chicago Theatre, and then to the Fox Theatre, Detroit.

Many thanks to all concerned for swell cooperation.



**TO HIS RADIO SPONSORS**...Since November 6, 1936, Tommy Dorsey has been on the air coast-to-coast for the makers of Raleigh Cigarettes and Kool Cigarettes. 77 consecutive performances, and each one a real pleasure. Thanks to you folks in Louisville.



**TO VICTOR**...Recording exclusively for Victor, the Tommy Dorsey discs have outsold all other bands during the past year. Leading hits were "Marie" and "Song of India." "Who" and "Dipsy Doodle" are going ahead to higher sales, with "Yearning" and "'Deed I Do" going even *higher.*

Tommy says thanks to all of you at Victor, and to those he has worked with on the road and on the air.

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